

EXHIBIT AE

**(Ex. 21 to the Natbony Declaration,
originally filed as ECF 13039-33, and
ECF 789-33 in Case No. 17-BK-3567)
- Part 3**

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318			320		
1	agreement related to the Puerto Rico	12:06:54	1	MS. McKEEN: Objection.	12:09:55
2	Infrastructure Financing Authority to Citibank,	12:06:55	2	THE WITNESS: Cash is comingled in	12:09:56
3	N.A?	12:06:55	3	the TSA account, if that's your question.	12:09:59
4	Do you see that?	12:07:01	4	BY MS. MILLER:	12:09:59
5	A. I see that.	12:07:01	5	Q. No. My question is that you can	12:10:02
6	Q. Is this a document that you've	12:07:03	6	have General Fund money in an account and you	12:10:05
7	seen before?	12:07:05	7	can have Fund 278 money in the account and you	12:10:08
8	A. I don't recall specifically	12:07:10	8	can have federal fund money in the account, but	12:10:12
9	reviewing this particular document.	12:07:19	9	there is cash within a single account but the	12:10:14
10	Q. Are you generally familiar with	12:07:28	10	cash is coming from various different Funds,	12:10:17
11	the various accounts that were supposed to be	12:07:29	11	correct?	12:10:24
12	set up under both the Enabling Act and the	12:07:31	12	MS. McKEEN: Objection.	12:10:24
13	trust agreement for -- sorry -- through which	12:07:34	13	THE WITNESS: The source of the	12:10:26
14	the first \$117 million of rum taxes were	12:07:41	14	cash that ends up in the TSA are	12:10:28
15	supposed to flow?	12:07:44	15	different -- different revenue types, different	12:10:32
16	MS. McKEEN: Objection.	12:07:47	16	Fund types.	12:10:33
17	THE WITNESS: I'm not an attorney.	12:07:48	17	BY MS. MILLER:	12:10:33
18	I'm not specific of what those -- our trust	12:07:50	18	Q. They're allocated on the	12:10:36
19	agreement requires in terms of bank accounts or	12:07:52	19	Commonwealth's internal accounting document to	12:10:37
20	not.	12:07:56	20	different Funds, right?	12:10:39
21	BY MS. MILLER:	12:07:56	21	A. The revenues are tagged with Fund	12:10:43
22	Q. I'm not asking what was required.	12:07:56	22	number identifiers when revenue is recorded.	12:10:46
23	I am just asking do you structurally understand	12:07:58	23	Q. Okay. And a single Fund can also	12:10:53
24	the Funds or account that the first	12:08:01	24	have multiple bank accounts associated with it,	12:11:01
25	\$117 million of Puerto Rico -- sorry -- of rum	12:08:04	25	right?	12:11:05
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1	excise taxes were supposed to flow through?	12:08:10	1	MS. McKEEN: Objection.	12:11:08
2	A. I understand how the Funds did	12:08:17	2	UNIDENTIFIED SPEAKER: Objection.	12:11:11
3	flow. I'm happy to answer any questions about	12:08:22	3	THE WITNESS: I'm not certain what	12:11:15
4	factual information that actually did happen	12:08:24	4	you mean.	12:11:16
5	with respect to the Flow of Funds.	12:08:27	5	MS. MILLER: I don't understand	12:11:17
6	Q. Okay. Are you familiar with a	12:08:28	6	the objection.	12:11:18
7	Fund called the Sinking Fund?	12:08:31	7	BY MS. MILLER:	12:11:19
8	A. Can you be more specific?	12:08:43	8	Q. The General Fund -- does the	12:11:19
9	Q. Yeah, we can turn to page 34 of	12:08:45	9	General Fund have multiple bank accounts?	12:11:22
10	the document, which is Article IV, Section 401	12:08:54	10	A. I don't think about Funds having	12:11:26
11	of the trust agreement.	12:09:00	11	bank accounts.	12:11:28
12	Actually, let me ask you one other	12:09:05	12	Q. Why not?	12:11:30
13	thing before we get there. We spoke yesterday	12:09:07	13	A. Because Fund numbers are used to	12:11:31
14	or Tuesday and then this morning about how the	12:09:10	14	record earned revenue and -- and don't -- don't	12:11:46
15	TSA or the operational account of the	12:09:12	15	have anything to do with a cash balance, a	12:11:52
16	Commonwealth has within it revenues from	12:09:15	16	discrete cash balance in the TSA.	12:11:54
17	multiple Funds, correct?	12:09:19	17	Q. Okay. Well, can the General Fund	12:11:56
18	A. It has within it cash receipts	12:09:25	18	have separate accounting accounts, not bank	12:11:58
19	from revenue recorded.	12:09:31	19	accounts, but just accounts that are used for	12:12:01
20	Q. From multiple Funds, right?	12:09:32	20	accounting purposes, internal Commonwealth	12:12:04
21	A. What?	12:09:37	21	account numbers?	12:12:06
22	Q. Obviously had cash receipts from	12:09:42	22	MS. McKEEN: Object to the form.	12:12:08
23	revenue recorded. My point was did it have	12:09:45	23	THE WITNESS: What do you mean by	12:12:16
24	cash receipts from revenue recorded in multiple	12:09:48	24	"account numbers"?	12:12:17
25	different Funds?	12:09:53	25		

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1	BY MS. MILLER:	12:12:17	1	Q. What did you say?	12:15:02
2	Q. Does the Commonwealth have any	12:12:21	2	A. That I don't think about the	12:15:04
3	internal account numbers that it uses when	12:12:22	3	General Fund as having a balance.	12:15:05
4	moneys are received?	12:12:27	4	Q. So how does that differ from what	12:15:09
5	MS. McKEEN: Objection.	12:12:31	5	I said you said?	12:15:11
6	THE WITNESS: The way you're using	12:12:36	6	MS. McKEEN: Objection.	12:15:12
7	"account" is pretty broad.	12:12:38	7	BY MS. MILLER:	12:15:18
8	BY MS. MILLER:	12:12:42	8	Q. I'm just looking for an answer?	12:15:18
9	Q. I'm asking within the	12:12:42	9	A. If the court reporter wants to	12:15:19
10	Commonwealth's internal accounting, does it use	12:12:47	10	repeat back what is said, sure.	12:15:20
11	account numbers to identify different moneys	12:12:54	11	Q. Okay. I don't want the court	12:15:22
12	within a particular Fund?	12:12:57	12	reporter to repeat back what I said. I'd like	12:15:24
13	MS. McKEEN: Objection.	12:13:06	13	you to look at Section 401 on Monolines	12:15:27
14	THE WITNESS: Revenue account	12:13:19	14	Exhibit 22. So I understand that you said that	12:15:29
15	number -- revenue account number, which would	12:13:22	15	bank accounts within Funds made no sense. I'd	12:15:36
16	then be PRIFA systems referred to as a CFRA	12:13:24	16	like you to look at the section Funds and	12:15:40
17	code. It is possible that one Fund number	12:13:29	17	Accounts.	12:15:43
18	could be attached to a string of data. That	12:13:33	18	Do you see that?	12:15:43
19	string of data would have a -- it could have	12:13:36	19	MS. McKEEN: Object.	12:15:44
20	one Fund number, you could have more than one	12:13:38	20	BY MS. MILLER:	12:15:44
21	different account number, but that's referring	12:13:42	21	Q. Do you see that, Article IV titled	12:15:45
22	to the CFRA account code, the revenue account	12:13:44	22	Funds and Accounts?	12:15:49
23	code within the PRIFA system.	12:13:48	23	A. I see Article IV where it says	12:15:49
24	BY MS. MILLER:	12:13:54	24	Funds and Accounts.	12:15:52
25	Q. Okay. And does the General Fund	12:13:54	25	Q. Okay. And do you have an	12:15:54

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1	have a balance?	12:13:57	1	understanding of what the difference is between	12:15:55
2	A. I don't think of a General Fund as	12:13:58	2	a Fund and an account?	12:15:57
3	having a balance in terms of cash.	12:14:01	3	A. It depends on the context --	12:16:07
4	Q. Hmm. What about in terms -- what	12:14:05	4	Q. Okay. What about in this context?	12:16:09
5	about not in terms of cash?	12:14:06	5	A. Without reviewing this entire	12:16:18
6	A. I don't think about the General	12:14:09	6	section, I'm not sure I could summarize --	12:16:20
7	Fund having balance.	12:14:15	7	(Simultaneous speaking.)	12:16:24
8	Q. Does the General Fund have a	12:14:15	8	A. -- conjecture.	12:16:24
9	balance for accounting purposes?	12:14:17	9	Q. Okay. So let's look at	12:16:24
10	A. Not BCB, no note if they have	12:14:22	10	Section 401. Section 401 is titled Banking	12:16:27
11	balance for accounting purposes or not, but I	12:14:26	11	Funds and Accounts.	12:16:33
12	don't think about Funds in terms of cash	12:14:28	12	Do you see that?	12:16:35
13	balances.	12:14:32	13	A. Yes.	12:16:35
14	Q. You've taken five postsecondary	12:14:33	14	Q. And it says:	12:16:36
15	accounting classes. So I understand you're not	12:14:37	15	A Special Fund is hereby created	12:16:37
16	a Certified Public Accountant, but I think you	12:14:40	16	and designated Puerto Rico Infrastructure	12:16:39
17	can still answer my question. And your answer	12:14:43	17	Financing Authority Special Tax Revenue Bond	12:16:41
18	was no, is that right, the General Fund does	12:14:46	18	Sinking Fund, hereinafter -- herein sometimes	12:16:45
19	not have a balance -- it is your testimony that	12:14:51	19	called the Sinking Fund, to be held by the	12:16:47
20	the General Fund does not have a balance for	12:14:54	20	trustee.	12:16:50
21	accounting purposes?	12:14:56	21	Do you see that?	12:16:51
22	MS. McKEEN: Objection.	12:14:57	22	A. Yes.	12:16:51
23	THE WITNESS: That's not what I	12:14:58	23	Q. And then it says:	12:16:52
24	said.	12:14:59	24	There are hereby created three	12:16:54
25	BY MS. MILLER:	12:15:02	25	separate accounts in the Sinking Fund	12:16:57

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<p style="text-align: right;">326</p> <p>1 designated Bond Service Account, Redemption 12:16:59 2 Account, and Reserve Account. 12:17:03 3 Do you see that? 12:17:06 4 A. Yes. 12:17:06 5 Q. So now let me ask again. Do you 12:17:07 6 understand that a Fund can have multiple bank 12:17:09 7 accounts associated with it? 12:17:17 8 MS. McKEEN: Objections. 12:17:17 9 THE WITNESS: I understand that in 12:17:19 10 the context of this document, that the Sinking 12:17:20 11 Fund that it mentions does appear to have 12:17:23 12 multiple accounts. 12:17:27 13 BY MS. MILLER: 12:17:29 14 Q. And you had never heard of that 12:17:29 15 concept before, a Fund having multiple bank 12:17:33 16 accounts associated with it; is that right? 12:17:36 17 MS. McKEEN: Objection, 12:17:37 18 mischaracterizes testimony. 12:17:38 19 THE WITNESS: That's not what I 12:17:42 20 said. 12:17:43 21 BY MS. MILLER: 12:17:43 22 Q. Okay. Have you ever encountered 12:17:45 23 this concept of a Fund having multiple bank 12:17:47 24 accounts associated with it previously? 12:17:49 25 A. No, because the nature of my work 12:18:03</p>	<p style="text-align: right;">328</p> <p>1 in which I would have encountered the word or 12:19:38 2 concept of Fund. 12:19:40 3 BY MS. MILLER: 12:19:40 4 Q. So what other contexts have you 12:19:43 5 encountered it in? 12:19:45 6 A. It's hard to say because people 12:19:49 7 use the term "Fund" very loosely. 12:19:52 8 Q. Okay. In preparing the Flow of 12:19:57 9 Funds, did you ask for any documents that 12:20:03 10 mapped particular bank account numbers to 12:20:07 11 accounts or Funds identified in the relevant 12:20:12 12 bond documents for the trust agreement in the 12:20:15 13 Enabling Act that we just looked at? 12:20:19 14 MS. McKEEN: Objection to the form 12:20:29 15 of the question. 12:20:31 16 THE WITNESS: Would you repeat the 12:20:37 17 question? 12:20:38 18 BY MS. MILLER: 12:20:38 19 Q. Yes. In preparing the Flow of 12:20:40 20 Funds, did you ask whether there were any 12:20:42 21 documents that mapped particular bank account 12:20:44 22 numbers to accounts or Funds identified in the 12:20:46 23 relevant bond document within the trust 12:20:48 24 agreement and the Enabling Act that we just 12:20:54 25 looked at? 12:20:55</p>
<p style="text-align: right;">327</p> <p>1 with -- with Funds is a little different than 12:18:04 2 what they're calling a Fund in this document. 12:18:11 3 Q. Okay. In what way? 12:18:14 4 A. Because when I think of Funds, I 12:18:22 5 think of the Fund number identifiers within the 12:18:25 6 PRIFA system. 12:18:29 7 Q. Okay. That's the only time you've 12:18:39 8 ever encountered the concept of a Fund with 12:18:43 9 respect to Puerto Rico and -- with respect to 12:18:46 10 Puerto Rico and the instrumentalities which are 12:18:48 11 designated as the 30(b)(6) to testify today? 12:18:52 12 MS. McKEEN: Objection. 12:18:55 13 THE WITNESS: I don't know. What 12:19:03 14 was the question there? 12:19:04 15 BY MS. MILLER: 12:19:07 16 Q. The question was that the Fund 12:19:07 17 designation within the PRIFA system is the only 12:19:10 18 time that you've encountered the concept of a 12:19:13 19 Fund with respect to Puerto Rico and the 12:19:15 20 instrumentalities with which you were 12:19:18 21 designated to teach as the 30(b)(6) to testify 12:19:22 22 today? 12:19:25 23 MS. McKEEN: Objection. 12:19:26 24 THE WITNESS: The concept of Funds 12:19:26 25 is very broad, so that's not the only context 12:19:27</p>	<p style="text-align: right;">329</p> <p>1 MS. McKEEN: Objection. 12:20:56 2 THE WITNESS: No. 12:21:07 3 BY MS. MILLER: 12:21:07 4 Q. Why not? 12:21:08 5 A. I felt comfortable with the work 12:21:20 6 that I did to satisfy myself that the Flow of 12:21:22 7 Funds presentations that we submitted were 12:21:26 8 correct and accurate. 12:21:30 9 BY MS. MILLER: 12:21:32 10 Q. Do you know whether there are any 12:21:32 11 internal Commonwealth documents that map 12:21:34 12 specific bank accounts to the Funds and 12:21:38 13 accounts identified in the bond documents? 12:21:40 14 A. Is that a question? 12:21:46 15 Q. Yeah. 12:21:49 16 A. It didn't sound like it. Would 12:21:55 17 you repeat it in a way that sounds like a 12:21:58 18 question? 12:22:00 19 Q. Okay. Do you know whether there 12:22:00 20 are any internal Commonwealth documents that 12:22:02 21 map specific bank accounts to the Funds and 12:22:04 22 accounts identified in the bond documents? 12:22:05 23 A. I've seen no evidence of that. 12:22:15 24 Q. Okay. Where did you look for 12:22:24 25 that, or let me ask before that. 12:22:27</p>

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<p style="text-align: right;">330</p> <p>1 You didn't ask anybody for it. So 12:22:30</p> <p>2 did you independently look for such a document? 12:22:33</p> <p>3 A. No. 12:22:40</p> <p>4 Q. What's the basis for your 12:22:43</p> <p>5 testimony that you don't believe there is any? 12:22:45</p> <p>6 MS. McKEEN: Objection, misstates 12:22:48</p> <p>7 testimony. 12:22:50</p> <p>8 THE WITNESS: After discussions 12:22:52</p> <p>9 with Treasury and PRIFA, I saw no evidence of 12:22:58</p> <p>10 that. 12:23:04</p> <p>11 BY MS. MILLER: 12:23:04</p> <p>12 Q. What were the nature of those 12:23:09</p> <p>13 discussions? 12:23:12</p> <p>14 A. The nature of those discussions 12:23:15</p> <p>15 were preparation for this deposition. 12:23:23</p> <p>16 Q. Okay. So you're assuming that if 12:23:27</p> <p>17 they had a document mapping particular Funds or 12:23:29</p> <p>18 accounts, they would have mentioned it in the 12:23:33</p> <p>19 course of the conversations even though you 12:23:35</p> <p>20 didn't ask for it? 12:23:37</p> <p>21 MS. McKEEN: Objection. 12:23:39</p> <p>22 THE WITNESS: That would have 12:23:50</p> <p>23 been -- I believe I would have been aware 12:23:52</p> <p>24 of -- of any evidence to the contrary. 12:23:59</p> <p>25</p>	<p style="text-align: right;">332</p> <p>1 refer to the first \$117 million of rum revenues 12:25:46</p> <p>2 in the TSA? 12:25:50</p> <p>3 A. No, I think it generally refers to 12:25:59</p> <p>4 the first 117 million of rum revenues earned. 12:26:01</p> <p>5 Q. Regardless of where they were? 12:26:04</p> <p>6 A. I'm speaking generally about the 12:26:14</p> <p>7 concepts of the Infrastructure Fund as 12:26:16</p> <p>8 understood by relevant individuals. 12:26:20</p> <p>9 Q. Okay. And so the common 12:26:24</p> <p>10 understanding of that term is that the first 12:26:26</p> <p>11 \$117 million of rum excise taxes are in the 12:26:30</p> <p>12 Puerto Rico Infrastructure Fund? 12:26:36</p> <p>13 MS. McKEEN: Objection. 12:26:44</p> <p>14 THE WITNESS: No. 12:26:44</p> <p>15 BY MS. MILLER: 12:26:44</p> <p>16 Q. Well, tell me again how you 12:26:47</p> <p>17 understand it, how that term is generally 12:26:48</p> <p>18 understood within the Commonwealth? 12:26:50</p> <p>19 A. Generally understood as the first 12:26:53</p> <p>20 117 million of rum revenues in each fiscal 12:26:58</p> <p>21 year. 12:27:07</p> <p>22 Q. Okay. 12:27:07</p> <p>23 THE WITNESS: How does anybody 12:27:15</p> <p>24 feel about a break here, maybe breaking for 12:27:16</p> <p>25 lunch? 12:27:18</p>
<p style="text-align: right;">331</p> <p>1 BY MS. MILLER: 12:23:59</p> <p>2 Q. How would you have been aware of 12:24:03</p> <p>3 it? 12:24:05</p> <p>4 A. Again, through discussions with 12:24:05</p> <p>5 the team mentioned. 12:24:15</p> <p>6 Q. Okay. And your counsel 12:24:17</p> <p>7 represented that the term "Puerto Rico 12:24:21</p> <p>8 Infrastructure Fund" is not understood to refer 12:24:25</p> <p>9 to a specific bank account or accounts or 12:24:27</p> <p>10 accounting designations. Are you aware of that 12:24:30</p> <p>11 representation? 12:24:37</p> <p>12 A. Yes. 12:24:37</p> <p>13 Q. And do you believe it to be true? 12:24:37</p> <p>14 A. Yes. 12:24:44</p> <p>15 Q. How was that term understood? 12:24:54</p> <p>16 A. What term? 12:24:57</p> <p>17 Q. The Puerto Rico Infrastructure 12:24:58</p> <p>18 Fund. 12:25:00</p> <p>19 A. It's understood to generally refer 12:25:07</p> <p>20 to the first 117 million of rum Funds, rum 12:25:10</p> <p>21 revenues. 12:25:25</p> <p>22 Q. Held in the TSA? 12:25:37</p> <p>23 A. Would you mind phrasing that as a 12:25:39</p> <p>24 complete question? 12:25:44</p> <p>25 Q. Is it understood to generally 12:25:45</p>	<p style="text-align: right;">333</p> <p>1 MS. McKEEN: I think it's fine for 12:27:23</p> <p>2 us to take a break if Atara is close to a 12:27:24</p> <p>3 stopping place. 12:27:28</p> <p>4 MS. MILLER: Okay. I'm okay 12:27:34</p> <p>5 taking a break. Can we keep it short, like can 12:27:35</p> <p>6 we come back at 2 o'clock, 1 o'clock Central, 12:27:38</p> <p>7 does that work? 33 minutes, 32 minutes? 12:27:42</p> <p>8 MS. McKEEN: Tim, is that okay 12:27:45</p> <p>9 with you? 12:27:47</p> <p>10 THE WITNESS: Okay. 12:27:48</p> <p>11 MS. MILLER: Okay. 12:27:49</p> <p>12 MS. McKEEN: Fine for us, Atara. 12:27:50</p> <p>13 MS. MILLER: All right. Great, 12:27:52</p> <p>14 thank you. 12:27:53</p> <p>15 THE VIDEOGRAPHER: We are off the 12:27:53</p> <p>16 record at 12:28 p.m. 12:27:54</p> <p>17 (Recess taken.) 12:27:56</p> <p>18 AFTERNOON SESSION 12:59:27</p> <p>19 THE VIDEOGRAPHER: We are back on 01:03:44</p> <p>20 the record at 1:04 p.m. 01:04:23</p> <p>21 BY MS. MILLER: 01:04:23</p> <p>22 Q. Good afternoon, Mr. Ahlberg, 01:04:29</p> <p>23 welcome back. 01:04:31</p> <p>24 Do you understand moneys as being 01:04:32</p> <p>25 deposited into the Infrastructure Fund? 01:04:36</p>

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<p style="text-align: right;">334</p> <p>1 THE VIDEOGRAPHER: Counsel, excuse 01:04:47</p> <p>2 me, I'm sorry. Before he answers, can we just 01:04:50</p> <p>3 pause real slightly? I need to resize the 01:04:52</p> <p>4 screen here and then we can reask the question. 01:04:53</p> <p>5 I am so sorry. 01:04:56</p> <p>6 MS. MILLER: That's okay. Okay. 01:04:58</p> <p>7 BY MS. MILLER: 01:04:58</p> <p>8 Q. Do you understand moneys as being 01:05:13</p> <p>9 deposited into the Infrastructure Fund? 01:05:14</p> <p>10 A. Yes. 01:05:23</p> <p>11 Q. Do you understand the 01:05:24</p> <p>12 Infrastructure Fund as being a Fund held by 01:05:25</p> <p>13 PRIFA? 01:05:29</p> <p>14 MS. McKEEN: Objection. 01:05:33</p> <p>15 THE WITNESS: I don't think the 01:05:38</p> <p>16 Infrastructure Funds as being something held by 01:05:39</p> <p>17 anyone at all. 01:05:57</p> <p>18 THE REPORTER: I'm sorry, 01:05:57</p> <p>19 Mr. Witness, can you repeat your answer and 01:05:58</p> <p>20 move your phone a little bit closer? Thanks. 01:06:03</p> <p>21 THE WITNESS: Is this better? 01:06:05</p> <p>22 THE REPORTER: It is. Thank you. 01:06:08</p> <p>23 THE WITNESS: Okay. I don't 01:06:10</p> <p>24 remember the specific answer that I just gave. 01:06:12</p> <p>25 MS. MILLER: I think for the court 01:06:14</p>	<p style="text-align: right;">336</p> <p>1 documented rotated? 01:07:45</p> <p>2 MS. MILLER: Sorry. Say that 01:07:45</p> <p>3 again, Liz. 01:07:47</p> <p>4 MS. McKEEN: I was just asking to 01:07:48</p> <p>5 have the document rotated, and it has been. So 01:07:49</p> <p>6 I appreciate that. 01:07:51</p> <p>7 THE WITNESS: Okay. Now that we 01:08:08</p> <p>8 have the document right side up, would you 01:08:09</p> <p>9 please repeat the question? 01:08:12</p> <p>10 BY MS. MILLER: 01:08:12</p> <p>11 Q. Sure. My question was just 01:08:15</p> <p>12 whether this is a document that you've seen 01:08:16</p> <p>13 before. 01:08:18</p> <p>14 A. Yes. 01:08:22</p> <p>15 Q. Is this a document that you saw in 01:08:23</p> <p>16 connection with preparation for your testimony 01:08:28</p> <p>17 today? 01:08:29</p> <p>18 A. Yes. 01:08:35</p> <p>19 Q. Is this a document that you had 01:08:36</p> <p>20 seen before your testimony? 01:08:37</p> <p>21 A. No. 01:08:41</p> <p>22 UNIDENTIFIED SPEAKER: Objection. 01:08:43</p> <p>23 BY MS. MILLER: 01:08:43</p> <p>24 Q. So you weren't involved in 01:08:45</p> <p>25 preparing the Flow of Funds, were you? 01:08:49</p>
<p style="text-align: right;">335</p> <p>1 reporter the answer was: 01:06:16</p> <p>2 I don't think about the 01:06:18</p> <p>3 Infrastructure Fund as being held by anybody. 01:06:21</p> <p>4 Is that correct, Mr. Ahlberg? 01:06:22</p> <p>5 THE WITNESS: That is correct. 01:06:24</p> <p>6 Thank you. 01:06:25</p> <p>7 MS. MILLER: I'm going to mark a 01:06:30</p> <p>8 document as Exhibit -- Monolines Exhibit 23, 01:06:32</p> <p>9 tab 1510, please. 01:06:36</p> <p>10 (Monolines Exhibit 23 is 01:06:36</p> <p>11 introduced for the record.) 01:06:54</p> <p>12 BY MS. MILLER: 01:06:54</p> <p>13 Q. And while it's loading, I will 01:06:54</p> <p>14 describe the document that you'll see on your 01:06:57</p> <p>15 screen in a minute as Exhibit A to the 01:06:59</p> <p>16 Supplemental Opposition of the Commonwealth of 01:07:02</p> <p>17 Puerto Rico to Amended PRIFA Bondholder Motion 01:07:05</p> <p>18 to Lift the Automatic Stay. And it's titled 01:07:09</p> <p>19 Flow of Rum Taxes. Do you see that? 01:07:14</p> <p>20 A. I see that. 01:07:17</p> <p>21 Q. Okay. And if we could just look 01:07:19</p> <p>22 at the next page. Is this a document that you 01:07:22</p> <p>23 recognize? 01:07:31</p> <p>24 A. Please allow me to rotate it. 01:07:37</p> <p>25 MS. McKEEN: Could we have the 01:07:42</p>	<p style="text-align: right;">337</p> <p>1 A. I was not involved in preparing 01:08:52</p> <p>2 this document. 01:08:53</p> <p>3 Q. Okay. And so I just want to 01:08:57</p> <p>4 direct your attention to the bottom half of the 01:09:01</p> <p>5 page on the right-hand side. It identifies the 01:09:03</p> <p>6 PRIFA Infrastructure Fund. Do you see that? 01:09:10</p> <p>7 A. Where specifically? 01:09:20</p> <p>8 Q. There's a red box between two 01:09:21</p> <p>9 green boxes on the right-hand side. Do you see 01:09:23</p> <p>10 that? 01:09:31</p> <p>11 A. Yes, I see that, thank you. 01:09:31</p> <p>12 Q. Okay. And in the red box, the 01:09:33</p> <p>13 Flow of Funds is indicating money flowing from 01:09:36</p> <p>14 the TSA to the Puerto Rico Infrastructure Fund. 01:09:38</p> <p>15 Do you see that? Do you see that, 01:09:50</p> <p>16 Mr. Ahlberg? 01:09:51</p> <p>17 A. I see the green box there, where 01:09:51</p> <p>18 it says: 01:09:53</p> <p>19 The lockbox trustee (Citibank) 01:09:54</p> <p>20 remits up to the first \$117 million of rum tax 01:09:57</p> <p>21 remittances to the TSA where it is comingled 01:09:58</p> <p>22 with other funds. 01:10:01</p> <p>23 Q. Yes. So on top of that, there 01:10:03</p> <p>24 seems to be blue writing that's identifying the 01:10:06</p> <p>25 account, and that says TSA (held by 01:10:09</p>

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1	Commonwealth).	01:10:12	1	into a PRIFA bank account called the	01:12:56
2	Do you see that?	01:10:12	2	Infrastructure Fund?	01:12:58
3	A. I see that.	01:10:12	3	A. No.	01:13:03
4	Q. Okay. And then the flow is	01:10:19	4	MS. MILLER: Okay. So now I'd	01:13:13
5	indicating that moneys are moving from the TSA	01:10:20	5	like to mark as Monolines Exhibit 24 a letter	01:13:15
6	down into the PRIFA Infrastructure Fund which	01:10:24	6	from counsel dated March 21, 2020, which	01:13:28
7	is identified on this Flow of Funds as held by	01:10:27	7	attaches a Flow of Funds that I believe you did	01:13:33
8	PRIFA. Do you see that?	01:10:33	8	prepare for PRIFA.	01:13:40
9	A. I see the arrows that you are	01:10:41	9	(Monolines Exhibit 24 is	01:13:40
10	referring to.	01:10:43	10	introduced for the record.)	01:14:22
11	Q. Okay. And in that red box	01:10:47	11	MS. MILLER: Would you go back to	01:14:22
12	describing the PRIFA Infrastructure Fund, the	01:10:49	12	the first page of the exhibit and rotate the	01:14:24
13	Flow of Funds indicates that historically, the	01:10:53	13	exhibit, please?	01:14:26
14	Commonwealth appropriated 117 million and	01:10:57	14	BY MS. MILLER:	01:14:26
15	deposited such moneys into the PRIFA	01:10:59	15	Q. Okay. Do you recognize this	01:14:28
16	Infrastructure Fund for its "corporate	01:11:01	16	document?	01:14:30
17	purposes" and subject to Section 8, Article IV	01:11:03	17	A. Yes.	01:14:30
18	of the Puerto Rico Constitution.	01:11:06	18	Q. And did you prepare this document?	01:14:30
19	Do you see that?	01:11:08	19	A. Will you allow me to briefly look	01:14:38
20	A. I see where it says that on this	01:11:08	20	through the other pages?	01:14:45
21	document.	01:11:11	21	Q. Yes. Do you have the controls	01:14:47
22	Q. Okay. And based on all of the	01:11:11	22	that you need?	01:14:49
23	work that you've done in connection with	01:11:14	23	A. Yes, thank you.	01:14:51
24	putting together Flow of Funds documents, is	01:11:16	24	The answer to your question is	01:14:53
25	that consistent with your understanding of the	01:11:20	25	yes.	01:14:54
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1	PRIFA Flow of Funds?	01:11:23	1	Q. Okay. And what documents did you	01:14:55
2	MS. McKEEN: Object to form.	01:11:31	2	review in preparing these Flow of Funds?	01:15:00
3	THE WITNESS: I don't know. It's	01:11:32	3	A. Generally, we reviewed bank	01:15:07
4	not an exercise that we did to map this	01:11:34	4	statements and transfer letters or voucher	01:15:10
5	document to the Flow of Funds that I prepared.	01:11:37	5	information.	01:15:13
6	BY MS. MILLER:	01:11:37	6	Q. Okay. And I want to look at the	01:15:19
7	Q. I'm not asking you to map, though.	01:11:42	7	first slide on this, which is the rum taxes	01:15:23
8	I'm just asking you whether it is consistent	01:11:45	8	June '14 to June 2015. And I know yesterday --	01:15:26
9	with your -- everything that you know and all	01:11:47	9	or Tuesday, you had a discussion with	01:15:31
10	of the analysis that you did -- have done that	01:11:51	10	Mr. Natbony about the various colors used in	01:15:33
11	the moneys flowed from the TSA into a bank	01:11:56	11	the chart and what they mean, and I just want	01:15:37
12	account held by PRIFA called the Puerto Rico	01:12:01	12	to confirm with you that they have the same	01:15:39
13	Infrastructure Fund.	01:12:04	13	meaning in the PRIFA Flow of Funds as they did	01:15:42
14	A. Would you please repeat the	01:12:17	14	in the HTA Flow of Funds that you were asked	01:15:45
15	question?	01:12:18	15	about on Tuesday.	01:15:47
16	Q. Is it consistent, based on all of	01:12:22	16	A. Yes.	01:15:58
17	the work and analysis that you did putting	01:12:24	17	Q. Okay. And so to review, the gray	01:15:58
18	together the PRIFA Flow of Funds in this	01:12:27	18	box indicates a Commonwealth account; is that	01:16:00
19	matter, is it your understanding --	01:12:29	19	right?	01:16:06
20	A. I don't know. I did not analyze	01:12:33	20	A. Yes.	01:16:06
21	this document for consistency with the Flow of	01:12:42	21	Q. And what does the blue box	01:16:07
22	Funds documents that I prepared.	01:12:45	22	indicate?	01:16:09
23	Q. Okay. Is it your understanding,	01:12:46	23	A. In this -- in these cases, the	01:16:10
24	based on all of the work that you've done, that	01:12:49	24	blue boxes would indicate that PRIFA's name	01:16:14
25	money flowed historically from the TSA account	01:12:52	25	would be on the bank statements of those	01:16:19

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<p style="text-align: right;">342</p> <p>1 accounts. 01:16:21</p> <p>2 Q. Okay. And when you say PRIFA's 01:16:23</p> <p>3 name would be on it, do you mean as account 01:16:26</p> <p>4 holder? 01:16:28</p> <p>5 A. Yes. 01:16:34</p> <p>6 Q. Okay. And what does the yellow 01:16:36</p> <p>7 box indicate? 01:16:39</p> <p>8 A. Yellow box indicates an account 01:16:41</p> <p>9 that is not a Commonwealth or PRIFA account. 01:16:44</p> <p>10 Q. Okay. And I know it all starts 01:16:49</p> <p>11 with a curved edge with an orange box or peach 01:16:53</p> <p>12 box. I don't know what color that's supposed 01:16:58</p> <p>13 to be. What does that indicate? 01:17:01</p> <p>14 A. That indicates the rum taxes. 01:17:06</p> <p>15 Q. And it's just the taxes 01:17:13</p> <p>16 themselves? 01:17:15</p> <p>17 A. Yeah, yes. 01:17:18</p> <p>18 Q. And when generated before they 01:17:21</p> <p>19 flow into a Commonwealth -- any Commonwealth or 01:17:26</p> <p>20 Commonwealth instrumentality account; is that 01:17:29</p> <p>21 right? 01:17:33</p> <p>22 A. Correct, as in when funds are 01:17:33</p> <p>23 collected in bonded warehouses. 01:17:35</p> <p>24 Q. All right. I missed the end, 01:17:38</p> <p>25 "collected in bonded warehouses"? 01:17:40</p>	<p style="text-align: right;">344</p> <p>1 account. 01:19:12</p> <p>2 Q. And what money specifically is 01:19:17</p> <p>3 this Flow of Funds tracking? 01:19:24</p> <p>4 A. This Flow of Funds is tracking the 01:19:26</p> <p>5 first 117 million of rum revenues in this time 01:19:32</p> <p>6 period, within this time period. 01:19:39</p> <p>7 Q. Okay. I'm going to ask a basic 01:19:41</p> <p>8 question. I hope you can help me with it. 01:19:45</p> <p>9 How were you able to determine 01:19:49</p> <p>10 when the moneys flowed from the 006 account to 01:19:52</p> <p>11 the GDB 1891 account if those were part of this 01:19:55</p> <p>12 \$117 million of rum taxes? 01:20:05</p> <p>13 A. By reviewing either transfer 01:20:11</p> <p>14 letter or voucher information that would have 01:20:14</p> <p>15 indicated a source of funds for that transfer. 01:20:17</p> <p>16 Q. Can you explain to me a little bit 01:20:24</p> <p>17 more what you mean? 01:20:28</p> <p>18 A. In review of transfer letters or 01:20:29</p> <p>19 vouchers that correspond with a transfer from 01:20:37</p> <p>20 GDB account 0006 to GDB account 1891, there 01:20:42</p> <p>21 would be an indication that the source of 01:20:48</p> <p>22 revenue for that cash transfer was in fact 01:20:51</p> <p>23 rum -- rum proceeds. 01:20:57</p> <p>24 Q. So meaning if there was a letter 01:21:02</p> <p>25 from Treasury saying send 35 million -- or 01:21:04</p>
<p style="text-align: right;">343</p> <p>1 A. I think that's the -- the term 01:17:46</p> <p>2 that's used by U.S. Treasury. Maybe I don't 01:17:47</p> <p>3 recall that term specifically. 01:17:51</p> <p>4 Q. Okay. Can you just -- it's not a 01:17:53</p> <p>5 term I'm familiar with. Can you just tell me 01:17:55</p> <p>6 what that means? 01:17:58</p> <p>7 A. Just in general, meaning that U.S. 01:18:00</p> <p>8 Treasury or U.S. Treasury collects these taxes 01:18:03</p> <p>9 at different -- at different points of 01:18:07</p> <p>10 collection. 01:18:13</p> <p>11 Q. All right. And then they all flow 01:18:14</p> <p>12 into, at this time, January '14 to June '15, 01:18:18</p> <p>13 into the 006 account; is that right? 01:18:22</p> <p>14 A. Correct. 01:18:26</p> <p>15 Q. Okay. And then certain 01:18:28</p> <p>16 accounts -- of these accounts have yellow stars 01:18:31</p> <p>17 on them. And is that, as you testified on 01:18:35</p> <p>18 Tuesday, to denote accounts that have comingled 01:18:41</p> <p>19 funds? 01:18:49</p> <p>20 A. Correct. 01:18:49</p> <p>21 Q. And what do you mean by "comingled 01:18:50</p> <p>22 funds"? 01:18:55</p> <p>23 A. On this specific slide, the 01:18:55</p> <p>24 comingling designation would represent that 01:18:57</p> <p>25 revenues besides rum taxes are received into an 01:19:05</p>	<p style="text-align: right;">345</p> <p>1 \$23 million from the 006 account to the 1891 01:21:09</p> <p>2 account as the first transfer of rum excise 01:21:12</p> <p>3 taxes, that was evidence to you that if you saw 01:21:17</p> <p>4 that \$23 million transfer into 1891, that that 01:21:19</p> <p>5 was in fact from the rum excise taxes. Is that 01:21:25</p> <p>6 your testimony? 01:21:30</p> <p>7 A. Right. That hypothetical 01:21:34</p> <p>8 \$23 million transfer would have accompanying 01:21:37</p> <p>9 transfer letter or voucher detail that would 01:21:41</p> <p>10 indicate the source of funds for that transfer 01:21:43</p> <p>11 being rum revenues. 01:21:46</p> <p>12 Q. Okay. And are the transfer 01:21:47</p> <p>13 letters and vouchers maintained as part of the 01:21:49</p> <p>14 Commonwealth accounting documents? 01:21:56</p> <p>15 MS. McKEEN: Object. 01:21:59</p> <p>16 THE WITNESS: The Commonwealth 01:22:05</p> <p>17 maintains and -- maintains historical records 01:22:07</p> <p>18 of vouchers or transfers, if that's what you 01:22:11</p> <p>19 meant. 01:22:14</p> <p>20 BY MS. MILLER: 01:22:14</p> <p>21 Q. Okay. And can you tell me 01:22:15</p> <p>22 specifically what in a voucher would identify 01:22:16</p> <p>23 the source of funds? 01:22:19</p> <p>24 A. I don't recall specifically 01:22:34</p> <p>25 without looking at an individual voucher. 01:22:34</p>

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<p style="text-align: right;">346</p> <p>1 Q. Okay. And so you don't recall 01:22:37 2 specifically any particular notation account 01:22:39 3 number or other designation on a transfer 01:22:45 4 voucher that would indicate that revenues are 01:22:47 5 from the first \$117 million of rum excise 01:22:50 6 taxes; is that right? 01:22:55 7 MS. McKEEN: Objection. 01:22:57 8 BY MS. MILLER: 01:22:59 9 Q. Let me just ask it straight up: 01:22:59 10 Do you recall any specific 01:23:01 11 notation or account number on the transfer 01:23:02 12 voucher that would indicate that the revenues 01:23:06 13 are from the first \$117 million of rum excise 01:23:09 14 taxes? 01:23:12 15 MS. McKEEN: Objection. 01:23:15 16 THE WITNESS: There is a -- excuse 01:23:16 17 me. There is a revenue code, revenue SFRA 01:23:19 18 account code that is used when recording the 01:23:25 19 revenues from rum proceeds. 01:23:29 20 BY MS. MILLER: 01:23:31 21 Q. And what is that revenue code? 01:23:31 22 A. I can't recall specifically off 01:23:38 23 the top of my head. I think it's R2220, but I 01:23:40 24 would be able to know it if we looked at a 01:23:44 25 voucher together to verify. 01:23:48</p>	<p style="text-align: right;">348</p> <p>1 query, I don't think of that query as spitting 01:25:27 2 out the voucher, factual voucher that 01:25:31 3 corresponds with each of those transactions. 01:25:37 4 Vouchers are recorded within the system, and 01:25:41 5 you can go in and pull vouchers. 01:25:44 6 Q. Well, would it -- what would the 01:25:50 7 output be of that query in the PRIFA system? 01:25:53 8 A. You could run a report within the 01:26:03 9 PRIFA system that would show all revenue earned 01:26:05 10 during a discrete time period of your choosing 01:26:11 11 under any revenue account code, but specific to 01:26:14 12 this case for Revenue Code 4220, I believe it 01:26:17 13 wasn't. 01:26:25 14 Q. And how long would it take to run 01:26:25 15 such a query and get the report? 01:26:27 16 A. I am not certain exactly how long 01:26:36 17 it takes to process a query like that, but I 01:26:37 18 would imagine that would be something that 01:26:41 19 could be accomplished in a day. 01:26:44 20 Q. Do you know whether queries can be 01:26:48 21 run in the PRIFA system remotely or whether you 01:26:50 22 need to specifically be within the Treasury 01:26:57 23 offices to run them? 01:26:59 24 A. I'm not positive. I think there 01:27:02 25 are DCMs that exist for people to run queries 01:27:08</p>
<p style="text-align: right;">347</p> <p>1 Q. Okay. Well, that's -- does R4220 01:23:49 2 sound familiar? 01:23:54 3 A. It sounds familiar, but without 01:23:59 4 looking at the voucher to confirm, I am not 01:24:00 5 100 percent positive. 01:24:03 6 Q. Okay. Would the voucher tell you 01:24:04 7 specifically that it's rum taxes, or would it 01:24:05 8 just have that account code on it? 01:24:08 9 A. It will have the -- a voucher 01:24:09 10 would have that account code, and the voucher 01:24:21 11 may or may not reference rum on the voucher 01:24:24 12 apart from just a revenue code. 01:24:29 13 Q. And would you be able to go into 01:24:33 14 the PRIFA system and pull all vouchers within 01:24:35 15 R4220 revenue there? 01:24:40 16 A. I'm not positive. We would have 01:24:57 17 to follow up on that and get back to you. 01:25:01 18 Q. So you don't know if the revenue 01:25:04 19 code is a query that you can run within the 01:25:06 20 system? 01:25:08 21 A. I know for a fact that you can run 01:25:09 22 a query within the PRIFA system and the 01:25:13 23 parameters of which Revenue Code 4220 could be 01:25:16 24 one of those parameters. But when I think 01:25:20 25 about programming that query and running that 01:25:24</p>	<p style="text-align: right;">349</p> <p>1 if they're not physically there, but I would 01:27:10 2 have to double-check on that and let you know 01:27:13 3 for certain. 01:27:16 4 Q. Have you personally ever accessed 01:27:17 5 the PRIFA system and run a query on anything 01:27:19 6 remotely? 01:27:21 7 A. No. 01:27:25 8 Q. Okay. Do you know whether the 01:27:29 9 R4220 revenue code continues to attach to rum 01:27:30 10 taxes that are collected today? 01:27:39 11 A. I believe that that revenue 01:27:49 12 account code is still used to record rum 01:27:51 13 revenues that are earned. 01:27:53 14 Q. Okay. And this chart, which is 01:28:18 15 part of Monolines Exhibit 24, indicates four 01:28:21 16 dotted arrow lines going from the 006 account 01:28:27 17 to a GDB 0704 account. Do you see that? 01:28:30 18 A. Yes. 01:28:37 19 Q. Do you know what the GDB 0704 01:28:37 20 account is? 01:28:42 21 A. An operational account at PRIFA. 01:28:48 22 Q. And the dotted arrow is footnoted 01:28:55 23 to mean that it's a discrete one-time transfer. 01:29:02 24 Do you see that? 01:29:05 25 A. I do see that. 01:29:05</p>

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1	Q. Is that a designation that you put	01:29:06	1	purposes of PRIFA, which is different than the	01:33:08
2	on that?	01:29:09	2	transfers to GDB 1891, which end up flowing to	01:33:13
3	A. Yes.	01:29:14	3	a US Bank.	01:33:18
4	Q. Sorry. Is that a designation that	01:29:15	4	Q. And what's the difference?	01:33:21
5	you attributed to those transfers?	01:29:17	5	A. Those four million dollar -- those	01:33:25
6	A. Yes.	01:29:19	6	four \$1 million transfers were transferred to	01:33:30
7	Q. What do you mean by a discrete	01:29:19	7	PRIFA for operational purposes.	01:33:36
8	one-time transfer?	01:29:30	8	Q. Okay. And is the flow from 006 to	01:33:42
9	A. I mean a one-time transfer. In	01:29:41	9	1891 not indicated by a broken arrow because	01:33:46
10	this case, there were four one-time transfers	01:29:45	10	those transfers were subject to legislation or	01:33:54
11	for the exact same amount.	01:29:48	11	some other obligation to transfer those moneys?	01:34:00
12	Q. How does that differ from the	01:29:49	12	MS. McKEEN: Objection.	01:34:06
13	transfers between, for example, the 006 account	01:29:51	13	THE WITNESS: I did not consider	01:34:09
14	and the 1891 account?	01:29:55	14	legislation or allegations when determining	01:34:11
15	A. I believe there are just more	01:30:08	15	whether to use a dotted line or a bold,	01:34:14
16	than -- more -- more transfers and then in	01:30:11	16	nondotted line.	01:34:20
17	differing amounts.	01:30:13	17	BY MS. MILLER:	01:34:21
18	Q. Do you know how many transfers of	01:30:22	18	Q. Did you consider whether there was	01:34:21
19	rum taxes there were annually from the 006	01:30:23	19	a standing direction to transfer the money?	01:34:23
20	account to the 1891 account?	01:30:28	20	A. That would not have been something	01:34:34
21	A. I don't know off the top of my	01:30:40	21	I considered when determining whether to use a	01:34:36
22	head how many transfers there were from 0006 to	01:30:43	22	dotted line or not.	01:34:38
23	1891.	01:30:49	23	Q. Okay. So what did you consider in	01:34:39
24	Q. And if there had only been four,	01:30:49	24	determining whether to use a dotted line or	01:34:42
25	you would have designated them by dotted arrow	01:30:50	25	not?	01:34:44
351			353		
1	line?	01:30:52	1	A. As mentioned, those dotted lines	01:34:46
2	I'm trying to understand. Is the	01:30:59	2	represent \$1 million transfers to PRIFA's	01:34:49
3	number of transfers the only thing that is	01:31:01	3	operational account for operation purposes,	01:34:53
4	different between the dotted arrow transfers	01:31:03	4	which is different than the transfers to	01:34:56
5	and the solid arrow transfer?	01:31:05	5	Account 1891, which are not used for	01:34:58
6	A. Okay. Would you mind repeating	01:31:23	6	operational purposes during this time period	01:35:00
7	the question, please?	01:31:25	7	into a US Bank.	01:35:05
8	Q. If there had been only four	01:31:28	8	Q. Do the dotted lines mean used for	01:35:05
9	transfers of rum taxes from the 006 account to	01:31:30	9	operational purposes and in light of the fact	01:35:08
10	the 1891 account, would you have designated	01:31:35	10	they're footnoted?	01:35:13
11	them on this Flow of Funds with dotted arrows?	01:31:37	11	A. The dotted lines are a discrete	01:35:15
12	A. No. The dotted arrows and the use	01:32:00	12	one-time transfer, and then just for added	01:35:19
13	of those four -- the four \$1 million transfers	01:32:12	13	clarification, I've explained to you that those	01:35:22
14	from GDB 0006 to 0704 was done with the reader	01:32:18	14	represent operational transfers.	01:35:27
15	of this presentation in mind just to make	01:32:25	15	Q. How does a discrete one-time	01:35:28
16	things as understandable as possible.	01:32:27	16	transfer differ from the transfers from 006 to	01:35:30
17	Q. Okay. Given that it's confusing	01:32:32	17	1891?	01:35:34
18	me, I'm asking for a little bit of	01:32:34	18	A. Discrete one-time transfers were	01:35:45
19	clarification.	01:32:36	19	transferred for operational purposes to PRIFA's	01:35:48
20	So the -- I'm trying to	01:32:38	20	operational account.	01:35:51
21	understand. Does the dotted line distinguish	01:32:44	21	Q. Okay. I'm going to just move on	01:35:58
22	between the nature of the transfer from box to	01:32:50	22	because I'm not getting an answer, but I still	01:36:00
23	box?	01:32:55	23	don't understand it. So we may follow up with	01:36:02
24	A. The transfers from 0006 to 0704 do	01:32:58	24	a letter to get a more comprehensive answer and	01:36:08
25	represent discrete transfers for operational	01:33:06	25	explanation for what "discrete one-time	01:36:09

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<p style="text-align: right;">354</p> <p>1 transfer" means. 01:36:15</p> <p>2 Do you know whether those moneys 01:36:16</p> <p>3 that were transferred into the 0704 account 01:36:18</p> <p>4 were transferred out of that account? 01:36:21</p> <p>5 A. I do not know because once those 01:36:41</p> <p>6 transfers are within the PRIFA operational 01:36:43</p> <p>7 account, they are comingled and 01:36:47</p> <p>8 indistinguishable from other sources of 01:36:49</p> <p>9 revenue. 01:36:52</p> <p>10 Q. Okay. So if you had been able to 01:36:52</p> <p>11 distinguish and identify the \$4 million from 01:36:55</p> <p>12 the 0704 account based on transfer vouchers, 01:36:58</p> <p>13 transfer orders or other documents, you would 01:37:04</p> <p>14 have indicated the next step in the Flow of 01:37:08</p> <p>15 Funds for those moneys; is that right? 01:37:11</p> <p>16 MS. McKEEN: Objection. 01:37:15</p> <p>17 BY MS. MILLER: 01:37:19</p> <p>18 Q. Let me just ask it. 01:37:19</p> <p>19 If you had been able to 01:37:22</p> <p>20 distinguish and identify those \$4 million on 01:37:23</p> <p>21 the outflow side as coming from the rum tax 01:37:25</p> <p>22 revenues, would you have shown the next step in 01:37:27</p> <p>23 the Flow of Funds from the 0704 account? 01:37:31</p> <p>24 A. I'm assuming that those funds are 01:37:43</p> <p>25 comingled into Account 0704 and that you'd be 01:37:48</p>	<p style="text-align: right;">356</p> <p>1 A. Correct. 01:39:39</p> <p>2 Q. Okay. So my question is on GDB 01:39:46</p> <p>3 0704, if you similarly had evidence like what 01:39:51</p> <p>4 you had with respect to the transfer from 006 01:39:55</p> <p>5 to 1891 that indicated that the next step in 01:39:58</p> <p>6 the Flow of Funds related directly to the rum 01:40:05</p> <p>7 tax revenues, would it have been so indicated 01:40:08</p> <p>8 on this chart? 01:40:11</p> <p>9 A. Would you repeat the question 01:40:19</p> <p>10 again? 01:40:21</p> <p>11 Q. Okay. I'm just going to ask 01:40:24</p> <p>12 another question, then move on. 01:40:26</p> <p>13 Did you do anything -- sorry, 01:40:28</p> <p>14 scratch that. 01:40:31</p> <p>15 Did you look at the outflows from 01:40:32</p> <p>16 the 0704 account to indicate whether you could 01:40:35</p> <p>17 identify rum tax revenues as a source of the 01:40:38</p> <p>18 revenue for any of those outflows? 01:40:44</p> <p>19 A. No. It was my understanding that 01:40:51</p> <p>20 they are comingled in Account 0704 and 01:40:53</p> <p>21 indistinguishable from one another. 01:40:59</p> <p>22 MS. MILLER: Okay. I want to 01:41:01</p> <p>23 look -- I'm going to mark as Exhibit 25 01:41:24</p> <p>24 tab 1202, please. 01:41:30</p> <p>25</p>
<p style="text-align: right;">355</p> <p>1 unable to distinguish transfers whose source of 01:37:52</p> <p>2 revenue is these transfers in or were not -- or 01:37:55</p> <p>3 other transfers into Account 0704. 01:37:58</p> <p>4 Q. Okay. But the rum tax revenues 01:38:03</p> <p>5 are comingled into the 006 account, right? And 01:38:05</p> <p>6 you just explained, I think quite well, how you 01:38:09</p> <p>7 were able to identify and distinguish them from 01:38:13</p> <p>8 all the other money in the 006 account as being 01:38:15</p> <p>9 transferred into the 1891 account, right? 01:38:17</p> <p>10 A. Would you mind repeating that? 01:38:31</p> <p>11 Q. Yeah. The rum taxes flowed into 01:38:41</p> <p>12 the 006 account, which itself is a comingled 01:38:48</p> <p>13 account, correct? 01:38:51</p> <p>14 A. Correct. 01:38:54</p> <p>15 Q. But you were able to distinguish 01:38:54</p> <p>16 the rum tax revenues that flowed from the 01:38:58</p> <p>17 comingled account into the GDB 1891 account, 01:39:02</p> <p>18 right? 01:39:06</p> <p>19 A. We were able to determine that the 01:39:10</p> <p>20 source of funds of that transfer from 0006 to 01:39:12</p> <p>21 1891 was rum tax revenues. 01:39:18</p> <p>22 Q. Okay. So the fact that the moneys 01:39:19</p> <p>23 were in a comingled account didn't preclude you 01:39:21</p> <p>24 from identifying, as they flowed out, what the 01:39:26</p> <p>25 source of those revenues were, correct? 01:39:29</p>	<p style="text-align: right;">357</p> <p>1 (Monolines Exhibit 25 is 01:41:30</p> <p>2 introduced for the record.) 01:41:30</p> <p>3 BY MS. MILLER: 01:41:30</p> <p>4 Q. Okay. Mr. Ahlberg, you have in 01:42:10</p> <p>5 front of you a document that was marked 01:42:12</p> <p>6 Monolines Exhibit 25. Do you see that? 01:42:13</p> <p>7 A. I see the document, yes. 01:42:18</p> <p>8 Q. Is this a document that you've 01:42:19</p> <p>9 seen before? 01:42:25</p> <p>10 A. Do you have a certified 01:42:34</p> <p>11 translation of this document? 01:42:36</p> <p>12 Q. I do. Do you need an English 01:42:38</p> <p>13 translation to tell me whether you've seen it 01:42:42</p> <p>14 before? You probably haven't seen the English 01:42:45</p> <p>15 translation before. 01:42:47</p> <p>16 MS. MILLER: I think -- Kevin, I 01:42:55</p> <p>17 think the English translation is 1202A, if you 01:42:58</p> <p>18 want to load that, and maybe we can merge them 01:43:02</p> <p>19 into a combined exhibit. 01:43:05</p> <p>20 Does anyone have an objection if 01:43:07</p> <p>21 we mark this as 1202A and then we merge it into 01:43:10</p> <p>22 a combined exhibit at the end of the deposition 01:43:14</p> <p>23 so we don't have two exhibits? 01:43:17</p> <p>24 MS. McKEEN: I don't have an 01:43:20</p> <p>25 objection to that. I think for Exhibit 25, it 01:43:20</p>

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<p style="text-align: right;">358</p> <p>1 would certainly be helpful for the record if 01:43:25</p> <p>2 that exhibit, plus the original certified 01:43:28</p> <p>3 translation is one exhibit. I think that's how 01:43:32</p> <p>4 we did prior deposition exhibits. 01:43:34</p> <p>5 MS. MILLER: Okay. Perfect. 01:43:36</p> <p>6 BY MS. MILLER: 01:43:37</p> <p>7 Q. Okay. So, Mr. Ahlberg, you now 01:43:39</p> <p>8 have in front of you Exhibit 25, what's now 01:43:42</p> <p>9 being marked as 25A, but I'm just going to 01:43:44</p> <p>10 refer to it as Exhibit 25 because we are going 01:43:47</p> <p>11 to merge them after the deposition, and this is 01:43:50</p> <p>12 the certified English translation of the 01:43:52</p> <p>13 account opening document. 01:43:55</p> <p>14 A. Okay. Thanks. 01:44:02</p> <p>15 MS. MILLER: Okay. All right. My 01:44:07</p> <p>16 team is telling me that my binder has some 01:44:08</p> <p>17 stuff earlier, that they're already merged in 01:44:11</p> <p>18 the system, so it's all Exhibit 25, and the 01:44:14</p> <p>19 back pages are the certified English 01:44:18</p> <p>20 translation. So you can go back and forth as 01:44:20</p> <p>21 necessary. 01:44:23</p> <p>22 BY MS. MILLER: 01:44:23</p> <p>23 Q. So, Mr. Ahlberg, now that you have 01:44:24</p> <p>24 the English in front of you, can you tell me 01:44:25</p> <p>25 whether this is a document that you've seen 01:44:28</p>	<p style="text-align: right;">360</p> <p>1 then if you turn to the third page of 01:46:08</p> <p>2 Exhibit 25. Okay. So it has the information 01:46:11</p> <p>3 and it identifies an account number. Do you 01:46:18</p> <p>4 see that? 01:46:20</p> <p>5 A. Yes. 01:46:20</p> <p>6 Q. And you see the account is the 01:46:26</p> <p>7 1891 account; is that right? 01:46:27</p> <p>8 A. Yes. 01:46:35</p> <p>9 Q. And if we could just go back one 01:46:35</p> <p>10 page, it indicates there's a depositor agency 01:46:38</p> <p>11 listed. Do you see that? 01:46:48</p> <p>12 A. Yes, I see that. 01:46:51</p> <p>13 Q. And what deposit -- what is the 01:46:52</p> <p>14 depositor agency? 01:46:58</p> <p>15 A. It says on this document that the 01:46:59</p> <p>16 depositor agency is the Banco Gubernamental de 01:47:01</p> <p>17 Fomento para PR. 01:47:08</p> <p>18 Q. Okay. And if you go to the next 01:47:08</p> <p>19 page in the exhibit, it identifies the customer 01:47:10</p> <p>20 name. Do you see that? 01:47:15</p> <p>21 A. Under Customer Name I see Banco 01:47:16</p> <p>22 Gubernamental de Fomento para PR. 01:47:29</p> <p>23 Q. Okay. And then if we could just 01:47:29</p> <p>24 look at the next -- or sorry -- two pages out, 01:47:34</p> <p>25 the 4741, this is an e-mail chain dated -- I 01:47:38</p>
<p style="text-align: right;">359</p> <p>1 before? 01:44:29</p> <p>2 A. I have not reviewed this specific 01:44:36</p> <p>3 document before. 01:44:37</p> <p>4 Q. Okay. Have you seen other 01:44:41</p> <p>5 documents like this before? 01:44:43</p> <p>6 A. I have seen other agreements for 01:44:49</p> <p>7 opening of bank accounts. 01:44:51</p> <p>8 Q. Okay. Hold on a second. Hold on 01:44:54</p> <p>9 a second. I lost it. I'll see if it comes 01:44:57</p> <p>10 back up again. 01:44:57</p> <p>11 Okay. So I want you just to look 01:45:12</p> <p>12 at the document. Do you see at the top it 01:45:15</p> <p>13 indicates -- excuse me -- it indicates the 01:45:17</p> <p>14 agency? 01:45:19</p> <p>15 A. I see that under Agency it says: 01:45:33</p> <p>16 Banco Gubernamental de Fomento para PR. 01:45:39</p> <p>17 Q. Okay. And do you see the name of 01:45:39</p> <p>18 this bank account, that the purpose of the 01:45:40</p> <p>19 account is AFI bond debt service? Do you see 01:45:44</p> <p>20 that? 01:45:49</p> <p>21 A. I see that. 01:45:49</p> <p>22 Q. And you understand AFI to be the 01:45:49</p> <p>23 Spanish acronym for PRIFA? 01:45:52</p> <p>24 A. Yes. 01:45:54</p> <p>25 Q. Okay. And this account -- and 01:46:06</p>	<p style="text-align: right;">361</p> <p>1 guess it runs from November 18, 2009, through 01:47:51</p> <p>2 November 20th, 2009. Do you see that? 01:47:54</p> <p>3 A. Yes. 01:48:02</p> <p>4 Q. And are you familiar with any of 01:48:03</p> <p>5 the people who are involved in this e-mail 01:48:07</p> <p>6 chain? 01:48:10</p> <p>7 A. I'm not familiar with any of the 01:48:23</p> <p>8 individuals whose names are on this e-mail 01:48:25</p> <p>9 chain. 01:48:27</p> <p>10 Q. Okay. But you see they're all 01:48:27</p> <p>11 identified as being at the GDB? 01:48:29</p> <p>12 A. That's what it says here. 01:48:36</p> <p>13 Q. Okay. And if you look at the top 01:48:38</p> <p>14 e-mail in the chain as the most recent -- or 01:48:40</p> <p>15 sorry -- the second e-mail down on the page, 01:48:44</p> <p>16 the one with the time stamp November 19, 2009, 01:48:46</p> <p>17 at 9:10 a.m., do you see that? 01:48:50</p> <p>18 A. Yes. 01:48:56</p> <p>19 Q. And there's a question that says: 01:48:56</p> <p>20 Hi, Arnaldo, can you please 01:48:59</p> <p>21 provide me with the title of Mr. Rivera and 01:49:00</p> <p>22 Mr. Garcia? I would also like to know if the 01:49:03</p> <p>23 account is in the name of ASI or of the bank. 01:49:07</p> <p>24 Do you see that? 01:49:10</p> <p>25 A. Yes, I see that. 01:49:10</p>

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1	Q.	And do you see the response?	01:49:12	1	Okay. And when you said PRIFA's	01:52:08	
2	A.	Yes, I see the response.	01:49:20	2	name would be on it, do you mean as an account	01:52:10	
3	Q.	Okay. And can you just read the	01:49:21	3	holder?	01:52:12	
4		second line of the response?	01:49:24	4	And you said:	01:52:13	
5	A.	Is it okay if I read the whole	01:49:28	5	Yes.	01:52:13	
6		response?	01:49:37	6	Do you recall me asking those	01:52:14	
7	Q.	Yeah, you can read the whole	01:49:39	7	questions and you giving those answers?	01:52:16	
8		thing. I just meant aloud.	01:49:39	8	A. Yes.	01:52:19	
9	A.	Gabriel Rivera is the director of	01:49:43	9	Q. I'm asking you what the basis is	01:52:23	
10		public financing and Jesus Garcia is the	01:49:46	10	for your testimony that PRIFA is an account	01:52:26	
11		Assistant Director of Public Financing. In the	01:49:50	11	holder of the 1891 account.	01:52:31	
12		name of the bank, But referencing the AFI Debt	01:49:53	12	A. I remember answering your	01:52:38	
13		Service.	01:49:56	13	question, original question in that way, and	01:52:40	
14	Q.	Okay. And just looking back at	01:49:57	14	what I meant is that I knew that PRIFA's name	01:52:42	
15		the Flow of Funds which is Exhibit 24, from	01:49:59	15	was on the bank statements. I'm just -- I'm	01:52:44	
16		January 2014 to January 2015 -- sorry -- to	01:50:04	16	not an attorney. I'm not certain if account	01:52:49	
17		June 2015, do you see the 1891 account on this	01:50:09	17	holder or not holder is a legal term that has	01:52:52	
18		exhibit?	01:50:28	18	an implication I'm not aware of.	01:52:55	
19	A.	Yes, I see the account 1891.	01:50:28	19	Q. I'm not talking about a legal	01:52:57	
20	Q.	Okay. And you testified	01:50:30	20	term. I'm just asking you whether it is a	01:52:59	
21		previously that blue meant that it was in	01:50:31	21	PRIFA account or not a PRIFA account.	01:53:02	
22		PRIFA's name; is that right?	01:50:34	22	A. And my answer would be that	01:53:09	
23	A.	Yeah, I referenced that PRIFA's	01:50:40	23	PRIFA's name is on the bank statement.	01:53:12	
24		name would be on the bank statement.	01:50:44	24	Q. So you don't know if it's a PRIFA	01:53:15	
25	Q.	Okay. And what's the basis for	01:50:46	25	account or not?	01:53:17	

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1		your position that the 1891 account was held in	01:50:52	1	MS. McKEEN: Objection.	01:53:18	
2		PRIFA's name?	01:50:55	2	THE WITNESS: I know PRIFA's name	01:53:23	
3	A.	I didn't say it was held in	01:50:59	3	is on the bank statement.	01:53:24	
4		PRIFA's name. I just mentioned that PRIFA's --	01:51:01	4	MS. MILLER: Can I ask someone	01:53:36	
5		PRIFA's name would be on the bank statements.	01:51:04	5	from my team to pull up a bank statement for	01:53:39	
6	Q.	Okay. So I think you said that,	01:51:08	6	the 1891 account so Mr. Ahlberg can show us	01:53:42	
7		and then I specifically asked you -- and we can	01:51:11	7	where PRIFA's name is on the account statement,	01:53:46	
8		go back if you need to, but I specifically	01:51:14	8	please?	01:53:52	
9		asked if by that you meant that PRIFA was the	01:51:16	9	BY MS. MILLER:	01:53:52	
10		account holder. Do you recall that?	01:51:20	10	Q. This might take a minute,	01:53:55	
11	A.	I do recall you asking me that	01:51:30	11	Mr. Ahlberg. I apologize.	01:53:56	
12		question.	01:51:31	12	A. No problem.	01:54:00	
13	Q.	Okay. And you said yes. Do you	01:51:33	13	Q. While you're waiting or while	01:54:27	
14		recall giving me that answer?	01:51:35	14	we're waiting, based on Exhibit 25 that we just	01:54:30	
15	A.	Yes, I do remember giving that	01:51:36	15	looked at, would you agree with me that the GDB	01:54:32	
16		answer. I meant to answer in the context of	01:51:43	16	is the account holder of the 1891 account?	01:54:35	
17		meaning that PRIFA's name would be on their	01:51:49	17	A. You asked me to confirm if GDB is	01:54:58	
18		bank statement.	01:51:51	18	the account holder of this account?	01:55:01	
19	Q.	Well, I said:	01:51:55	19	Q. I'm asking you whether, based on	01:55:04	
20		What does the blue box indicate?	01:51:58	20	Monolines Exhibit 25, which we could put that	01:55:08	
21		And you said:	01:52:00	21	one back up, you would agree with me that the	01:55:13	
22		In the case of the blue box, it	01:52:02	22	GDB is actually the account holder of the 1891	01:55:16	
23		would indicate that PRIFA's name would be on	01:52:03	23	account?	01:55:19	
24		the bank account statement of those accounts.	01:52:05	24	A. I don't know if there's a specific	01:55:30	
25		And I said:	01:52:07	25	way you're using "account holder." I'm just --	01:55:32	

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<p style="text-align: right;">366</p> <p>1 not being an attorney, I'm uncertain of the 01:55:36 2 implications of that phrase "account holder." 01:55:39 3 Q. Do you own a bank account, 01:55:42 4 Mr. Ahlberg? 01:55:44 5 A. I do have bank accounts. 01:55:45 6 Q. Okay. Do you understand what it 01:55:47 7 means when someone asks you if you're the 01:55:49 8 account holder of a certain account? 01:55:55 9 A. Generally, I would understand if 01:56:01 10 someone asked me that question. 01:56:03 11 Q. Okay. Do you have any joint bank 01:56:07 12 accounts? 01:56:14 13 A. No. 01:56:14 14 Q. How do you understand that 01:56:19 15 generally when someone -- if someone were to 01:56:21 16 ask you that? 01:56:25 17 UNIDENTIFIED SPEAKER: Object to 01:56:26 18 form. 01:56:26 19 THE WITNESS: If someone were to 01:56:26 20 ask me what? Would you mind repeating the 01:56:29 21 question? 01:56:29 22 BY MS. MILLER: 01:56:31 23 Q. If someone were to ask you if you 01:56:31 24 were the account holder of a particular bank 01:56:33 25 account. 01:56:36</p>	<p style="text-align: right;">368</p> <p>1 Q. Okay. So what criteria did you 01:58:09 2 apply to the GDB 1891 account that resulted in 01:58:11 3 you designating it as a blue box? 01:58:14 4 A. In color coding as a general 01:58:25 5 association and to help the reader interpret 01:58:29 6 this presentation, but understanding that 01:58:31 7 PRIFA's name was on the bank statement, I 01:58:34 8 thought it was appropriate to make that box 01:58:38 9 blue. 01:58:41 10 (Monolines Exhibit 26 is 01:58:41 11 introduced for the record.) 01:58:41 12 BY MS. MILLER: 01:58:42 13 Q. Okay. So now we are looking at a 01:58:42 14 bank statement that's been marked Monolines 01:58:45 15 Exhibit 26, and when you say that PRIFA's name 01:58:48 16 was on the bank statement, do you mean that 01:58:53 17 PRIFA's name is indicated in the account name? 01:58:55 18 A. PRIFA in this exact bank statement 01:59:05 19 example that we're looking at, that is correct, 01:59:08 20 that PRIFA's listed in the account name under 01:59:11 21 the Spanish acronym AFL. 01:59:16 22 Q. You don't see PRIFA's name 01:59:18 23 anywhere else, do you? 01:59:20 24 Well, sorry. You don't see 01:59:21 25 PRIFA's name as an account holder, right? 01:59:23</p>
<p style="text-align: right;">367</p> <p>1 A. In the context of my own personal 01:56:41 2 finances, I would think that would mean that 01:56:44 3 it's an account that -- that I have the ability 01:56:46 4 to withdraw funds from or deposit funds into. 01:56:51 5 THE REPORTER: I'm sorry. Excuse 01:57:11 6 me one moment. I'm sorry. 01:57:11 7 I just wanted to ask, Ms. McKeen, 01:57:11 8 would you mind moving the phone closer to you? 01:57:13 9 You're very faint with your objections. Sorry. 01:57:15 10 Go ahead. 01:57:17 11 MS. McKEEN: (Indiscernible) I 01:57:17 12 haven't objected in several questions. So I'm 01:57:18 13 not sure if you heard any. That wasn't me. I 01:57:20 14 didn't hear an opposing objection. Can you 01:57:25 15 hear me now? 01:57:31 16 THE REPORTER: I can. Thank you. 01:57:32 17 MS. McKEEN: Thank you. 01:57:33 18 BY MS. MILLER: 01:57:33 19 Q. Is that the same understanding 01:57:44 20 that you used in determining whether or not to 01:57:46 21 designate a box blue or not? 01:57:49 22 A. Did not apply the same -- same 01:57:59 23 exact criteria that I just referenced in my own 01:58:04 24 personal finances to the Flow of Funds 01:58:07 25 presentation. 01:58:09</p>	<p style="text-align: right;">369</p> <p>1 A. I don't see the phrase "account 01:59:39 2 holder" listed anywhere on this page. 01:59:43 3 Q. Okay. And you do see that the 01:59:46 4 account statements are being directed to 01:59:48 5 Mr. Gabriel Rivera, the director of public 01:59:50 6 finance at the GDB, right? 01:59:52 7 A. I do see that. 02:00:04 8 Q. Okay. And did you do anything 02:00:05 9 other than noting that PRIFA's name was 02:00:06 10 mentioned somewhere on that account statement 02:00:12 11 to identify whether or not the account was 02:00:13 12 actually a PRIFA account? 02:00:16 13 A. Can you repeat the question, 02:00:29 14 please? 02:00:31 15 Q. Yeah. Did you do anything other 02:00:32 16 than noting that PRIFA's name was mentioned 02:00:33 17 somewhere on the account statement to identify 02:00:36 18 whether or not the account was actually a PRIFA 02:00:39 19 account? 02:00:41 20 A. No, no. 02:00:54 21 Q. Okay. I want to go back to 02:00:55 22 Exhibit 24, please. 02:00:58 23 Am I understanding this chart 02:01:16 24 correctly that between the January 2014 and 02:01:18 25 June 2015 period, the only account that had the 02:01:23</p>

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<p style="text-align: right;">370</p> <p>1 full 117 million of rum excise taxes was the 02:01:28 2 GDB 006 account? 02:01:32 3 A. I missed the last part of your 02:01:40 4 question, sorry. Could you repeat it? 02:01:42 5 Q. Okay. Am I correct that according 02:01:44 6 to this chart, from the January '14 to 02:01:46 7 June 2015 period, the only bank account that 02:01:50 8 held the full \$117 million rum excise taxes was 02:01:54 9 the GDB 006 account? 02:01:58 10 Sorry, let me -- let me restate 02:02:04 11 that because I misspoke in the question. Let 02:02:06 12 me ask it again. 02:02:08 13 Am I correct that according to 02:02:09 14 this chart, from January '14 to June 2015, the 02:02:11 15 only bank account that held the first 02:02:17 16 \$117 million in full was the GDB 006 account? 02:02:20 17 A. I can't say that there was any one 02:02:27 18 given time where the 117 million was 02:02:41 19 identifiable as a separate cash balance within 02:02:48 20 the operating account 0006. 02:02:51 21 Q. Okay. That's a fair point. Let 02:02:55 22 me restate it. 02:03:01 23 Is it true that in the 02:03:02 24 January 2014 to June 2015 period, the only 02:03:04 25 account that the full first \$117 million of rum 02:03:08</p>	<p style="text-align: right;">372</p> <p>1 Remesa for rum taxes during this time, which is 02:05:57 2 stamped August 2014. This is probably fiscal 02:06:03 3 year 2014. 02:06:09 4 Q. Okay. 02:06:11 5 A. Or fiscal year 2015. 02:06:13 6 Q. And are these among the documents 02:06:15 7 or the type of documents that you reviewed in 02:06:17 8 preparing the Flow of Funds that we discussed 02:06:20 9 earlier? 02:06:22 10 A. Yes, this type of document would 02:06:25 11 be included in that review. 02:06:27 12 Q. Okay. And you see here there's a 02:06:32 13 designation Fondo, and it says 111. Do you see 02:06:37 14 that? 02:06:39 15 A. Yes. 02:06:39 16 Q. And do you know what Fund 111 is? 02:06:40 17 A. Fund 111 is one of the fund 02:06:46 18 numbers used to identify General Fund. 02:06:49 19 Q. Okay. And then to the left of 02:06:51 20 that it says Cuenta R4220. Do you see that? 02:06:53 21 A. Yes. 02:06:58 22 Q. And is that the revenue account 02:06:59 23 within the General Fund that's used for rum 02:07:01 24 excise taxes that we discussed earlier? 02:07:07 25 A. That's the revenue account used 02:07:10</p>
<p style="text-align: right;">371</p> <p>1 excise taxes flowed through was the GDB 006 02:03:11 2 account? 02:03:16 3 A. Yes. 02:03:24 4 Q. Thank you for that clarification. 02:03:25 5 Okay. So I'd like to now mark as 02:03:36 6 Exhibit 26 tab 1301. 02:03:43 7 MS. MILLER: Actually, Kevin, 02:04:08 8 before we go there, can I just -- can we mark 02:04:09 9 quickly tab 1203? 02:04:13 10 (Monolines Exhibit 27 is 02:04:13 11 introduced for the record.) 02:04:13 12 BY MS. MILLER: 02:04:13 13 Q. Okay. So we have marked as 02:04:54 14 Monolines Exhibit 27 -- we'll come back to 02:04:56 15 26 -- a document. Is this a document that you 02:04:58 16 recognize? 02:05:04 17 A. Yes. 02:05:28 18 Q. Okay. And what is this document? 02:05:29 19 A. I would like to clarify that I 02:05:30 20 recognize this type of document. I can't 02:05:32 21 recall specifically reviewing this exact 02:05:35 22 document. 02:05:37 23 Q. Fair enough. 02:05:38 24 And what is this type of document? 02:05:38 25 A. This document is a Comprobante de 02:05:52</p>	<p style="text-align: right;">373</p> <p>1 within the PRIFA system to record the revenues 02:07:13 2 of rum taxes. 02:07:17 3 Q. Okay. Do you know whether that's 02:07:18 4 used to record all of the revenues of rum taxes 02:07:20 5 or just the first 117 million of rum taxes? 02:07:22 6 Let me break it out. 02:07:28 7 Is that revenue account number 02:07:30 8 used to record all of the revenues of rum 02:07:31 9 taxes? 02:07:36 10 A. I'm not positive. I would have to 02:07:49 11 double-check on that and get back to you. 02:07:54 12 Q. Okay. How would you go about 02:07:56 13 double-checking? 02:07:59 14 A. I would just have to look at the 02:08:13 15 voucher maybe similar to this one that -- whose 02:08:20 16 amount, which, you know, ended up meaning 02:08:28 17 specifically your total exceeded 117 million 02:08:31 18 and they were still using account code 4220, 02:08:34 19 that would indicate to me that they were using 02:08:37 20 Account 4220 for rum proceed revenues, the 02:08:40 21 first 117, as well as the excise. 02:08:44 22 Q. And if you ran the report that we 02:08:50 23 discussed earlier from the PRIFA system on 02:08:52 24 Revenue Account 4220, you would be able to tell 02:08:56 25 that based on the report, correct? 02:08:58</p>

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<p style="text-align: right;">374</p> <p>1 A. Correct. 02:09:04</p> <p>2 Q. You didn't run that report, right? 02:09:06</p> <p>3 A. No, I have not run that report. 02:09:10</p> <p>4 Q. Okay. And how long do you think 02:09:12</p> <p>5 it would take to run that report for a single 02:09:16</p> <p>6 fiscal year? 02:09:19</p> <p>7 A. I don't know specifically how long 02:09:24</p> <p>8 the system would take to process that, but I 02:09:25</p> <p>9 imagine it would be accomplishable within 02:09:28</p> <p>10 one day. 02:09:31</p> <p>11 Q. And when you say "accomplishable 02:09:33</p> <p>12 within one day," you just mean processing time? 02:09:36</p> <p>13 A. Right. I can't speculate on time 02:09:40</p> <p>14 to quality control review data that the system 02:09:45</p> <p>15 would potentially output. 02:09:48</p> <p>16 Q. How long would it take to come up 02:09:49</p> <p>17 with a query? 02:09:51</p> <p>18 A. Query -- query -- I mean, I guess 02:10:00</p> <p>19 I could tell you what the query is now. You 02:10:07</p> <p>20 would need time to determine what the 02:10:09</p> <p>21 parameters of the query would be. 02:10:11</p> <p>22 Q. Do you know whether moneys other 02:10:24</p> <p>23 than the first 117 million of rum -- sorry, 02:10:27</p> <p>24 strike that. Let me start over. 02:10:32</p> <p>25 Do you know whether rum excise 02:10:34</p>	<p style="text-align: right;">376</p> <p>1 flow into a Fund other than the General Fund? 02:12:13</p> <p>2 UNIDENTIFIED SPEAKER: Objection. 02:12:20</p> <p>3 THE WITNESS: I disagree with the 02:12:20</p> <p>4 characterization of funds flowing into any 02:12:23</p> <p>5 Fund. 02:12:25</p> <p>6 BY MS. MILLER: 02:12:25</p> <p>7 Q. Okay. So you disagree with the 02:12:26</p> <p>8 funds being allocated. All right. 02:12:28</p> <p>9 So you don't know whether they're 02:12:36</p> <p>10 allocated to a Fund other than the General 02:12:38</p> <p>11 Fund? 02:12:44</p> <p>12 A. The first 117 million are recorded 02:12:44</p> <p>13 with the General Fund fund number. 02:12:47</p> <p>14 Q. Do you know whether moneys beyond 02:12:52</p> <p>15 the first 117 million are recorded with a Fund 02:12:54</p> <p>16 number that is not the General Fund? 02:12:58</p> <p>17 A. I don't know for certain since we 02:13:03</p> <p>18 didn't look at the funds outside the 117 for 02:13:04</p> <p>19 purposes of the Flow of Funds presentation. 02:13:08</p> <p>20 That would certainly be something we could 02:13:10</p> <p>21 follow up on and get back to you. 02:13:13</p> <p>22 Q. Okay. Do you think they might be? 02:13:15</p> <p>23 MS. McKEEN: Objection. 02:13:21</p> <p>24 THE WITNESS: I can't speculate 02:13:23</p> <p>25 one way or the other. 02:13:24</p>
<p style="text-align: right;">375</p> <p>1 taxes beyond the first 117 million of rum 02:10:36</p> <p>2 excise taxes are deposited into the General 02:10:40</p> <p>3 Fund? 02:10:40</p> <p>4 UNIDENTIFIED SPEAKER: Objection. 02:10:40</p> <p>5 THE REPORTER: I'm sorry, did 02:10:40</p> <p>6 somebody -- I'm sorry? 02:10:40</p> <p>7 THE WITNESS: (Indiscernible) 02:10:53</p> <p>8 deposited into the General Fund. 02:10:53</p> <p>9 BY MS. MILLER: 02:10:54</p> <p>10 Q. Okay. Do you know whether the 02:10:54</p> <p>11 R4220 account is used in connection with other 02:10:57</p> <p>12 Funds as well? 02:11:01</p> <p>13 Sorry, just -- just to be clear, 02:11:21</p> <p>14 when I said Funds, I meant capital F Fund, the 02:11:23</p> <p>15 Fund of the Special Fund other than the 02:11:26</p> <p>16 general. 02:11:34</p> <p>17 UNIDENTIFIED SPEAKER: Objection. 02:11:36</p> <p>18 THE WITNESS: I know the first 02:11:38</p> <p>19 117 million would use the General Fund 02:11:39</p> <p>20 identifier there. We -- we did not look at 02:11:42</p> <p>21 the, you know, the revenues outside the first 02:12:00</p> <p>22 117 for purposes of the Flow of Funds 02:12:03</p> <p>23 accreditation. 02:12:07</p> <p>24 BY MS. MILLER: 02:12:07</p> <p>25 Q. So you don't know whether they 02:12:11</p>	<p style="text-align: right;">377</p> <p>1 (Monolines Exhibit 28 is 02:13:24</p> <p>2 introduced for the record.) 02:13:24</p> <p>3 MS. MILLER: Okay. I want to go 02:13:47</p> <p>4 to Exhibit 26 now, please, Kevin. 02:13:50</p> <p>5 BY MS. MILLER: 02:13:50</p> <p>6 Q. Mr. Ahlberg, did you review the 02:13:51</p> <p>7 lockbox agreement in connection with your 02:14:23</p> <p>8 preparation for your deposition today? 02:14:27</p> <p>9 A. I did not review the lockbox 02:14:28</p> <p>10 agreement in preparation for this deposition, 02:14:30</p> <p>11 but I am familiar with the lockbox agreement 02:14:33</p> <p>12 based on my ordinary business and work with the 02:14:35</p> <p>13 Commonwealth. 02:14:39</p> <p>14 Q. Okay. And in what context have 02:14:39</p> <p>15 you encountered the lockbox agreement in the 02:14:45</p> <p>16 course of your ordinary work? 02:14:49</p> <p>17 A. Beyond the first 117 million that 02:14:58</p> <p>18 we have been discussing together, there's a rum 02:15:00</p> <p>19 tax waterfall that proceeds after that, and I 02:15:03</p> <p>20 have reviewed actual cash flows with -- actual 02:15:09</p> <p>21 cash flows in the rum tax waterfall after the 02:15:19</p> <p>22 first 117 million in my normal course of 02:15:22</p> <p>23 business with the Commonwealth. 02:15:26</p> <p>24 Q. And in the course of that, have 02:15:41</p> <p>25 you looked at the actual document? 02:15:43</p>

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1	A. Somewhere along the lines in the	02:15:51	1	understand that the lockbox agreement sets	02:19:25
2	past two and a half years, I have seen the	02:15:54	2	forth a Flow of Funds for the rum tax revenue.	02:19:33
3	actual lockbox agreement.	02:15:57	3	A. Not being an attorney, I'm not	02:19:50
4	Q. Okay. Do you understand that	02:16:01	4	positive that this lockbox agreement says that.	02:19:52
5	under the lockbox agreement -- which,	02:16:16	5	Q. Why did you look at it in	02:19:58
6	apologies, is being pulled off, I created	02:16:18	6	connection with the Flow of Funds of the rum	02:20:01
7	confusion, apparently. We already used	02:16:20	7	taxes in the ordinary course of your business?	02:20:03
8	Exhibit 26. So this will be Exhibit 27 -- that	02:16:24	8	A. In my ordinary course of business,	02:20:06
9	there are multiple transfers that -- let me	02:16:34	9	and understanding the historical Flow of Funds	02:20:14
10	ask.	02:16:39	10	for rum taxes, for us it meant understanding	02:20:17
11	Here's the lockbox agreement. Is	02:16:40	11	that transfers were -- after the lockbox	02:20:21
12	this the agreement that we were just talking	02:16:42	12	agreements were coming directly from the	02:20:27
13	about?	02:16:43	13	Citibank account as opposed to being	02:20:30
14	A. Yes.	02:16:58	14	transferred directly from the U.S. Government.	02:20:32
15	Q. Okay. So the record is clear,	02:16:59	15	Q. Okay. And is that	02:20:34
16	because we have now said it wrong three times,	02:17:06	16	something -- when you said in the ordinary	02:20:37
17	Monolines Exhibit 28 is the lockbox agreement	02:17:09	17	course of your business, did you mean in	02:20:39
18	dated May 5, 2015. Who's the lockbox trustee?	02:17:12	18	connection with preparing these Flow of Funds	02:20:42
19	Sorry, what does the lockbox say?	02:17:33	19	documents?	02:20:45
20	A. Citibank.	02:17:42	20	A. No.	02:20:47
21	Q. And do you understand that under	02:17:50	21	Q. Okay. So in connection with your	02:20:47
22	this agreement Citibank has to make a number of	02:17:51	22	ordinary course of business, you have to	02:20:53
23	transfers to various entities, right?	02:17:54	23	understand that historical Flow of Funds	02:20:54
24	A. Not being an attorney, I'm not	02:18:04	24	differed from the Flow of Funds under the	02:20:59
25	certain what the lockbox agreement mandates or	02:18:06	25	lockbox agreement? Did I understand that	02:21:01

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1	does not mandate.	02:18:08	1	right?	02:21:04
2	Q. Okay. Well, I thought you told me	02:18:09	2	MS. McKEEN: Objection.	02:21:08
3	that in the ordinary course of your business,	02:18:12	3	THE WITNESS: From a normal course	02:21:14
4	you have seen the lockbox agreement and	02:18:14	4	of business, I understood the lockbox agreement	02:21:16
5	considered it in connection with the Flow of	02:18:18	5	changed the Flow of Funds.	02:21:19
6	Funds that it mandates. No? Did I get that	02:18:20	6	BY MS. MILLER:	02:21:19
7	wrong?	02:18:24	7	Q. Okay. Do you understand how it	02:21:22
8	UNIDENTIFIED SPEAKER: Objection.	02:18:28	8	changed the Flow of Funds?	02:21:23
9	THE WITNESS: I'm generally	02:18:30	9	A. Yes. The funds are -- rum taxes	02:21:31
10	familiar with the lockbox agreement, and in the	02:18:31	10	are -- first went to Citibank prior to transfer	02:21:35
11	context in which I would have been familiar	02:18:36	11	to the TSA, as opposed to coming directly from	02:21:40
12	with it was in monitoring cash flow activity	02:18:37	12	the U.S. Government.	02:21:43
13	with respect to rum tax.	02:18:42	13	Q. Okay. And then, after the first	02:21:44
14	BY MS. MILLER:	02:18:44	14	117 -- well, look at page 4 of the lockbox	02:21:52
15	Q. Okay. And so you understand that	02:18:45	15	agreement.	02:21:55
16	the lockbox agreement outlines period cash	02:18:46	16	And is this specifically a page	02:21:57
17	flows or the flow of various revenues, right?	02:18:51	17	that you've seen before? And I'm going to	02:21:58
18	MS. McKEEN: Objection.	02:19:08	18	direct you to Section 5, which is the	02:22:00
19	THE WITNESS: I understand it's --	02:19:11	19	Disposition of Cover Over Payments in the	02:22:02
20	the Flow of Funds is different before and after	02:19:12	20	account. Do you see that?	02:22:04
21	the lockbox agreement is operational.	02:19:17	21	A. I see that fifth section there.	02:22:05
22	BY MS. MILLER:	02:19:20	22	Q. Okay. And did you look at this	02:22:16
23	Q. Okay. I have not asked anything	02:19:20	23	fifth section in the ordinary course of	02:22:18
24	about that.	02:19:22	24	business before preparing the PRIFA Flow of	02:22:26
25	I'm just asking you whether you	02:19:23	25	Funds for this deposition?	02:22:29

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1	A. I don't recall specifically	02:22:33	1	MS. McKEEN: Objection.	02:25:11
2	reviewing this exact section of the document.	02:22:34	2	BY MS. MILLER:	02:25:11
3	Q. Okay. Do you have an	02:22:40	3	Q. -- under the lockbox agreement?	02:25:13
4	understanding of how the moneys beyond the	02:22:40	4	MS. McKEEN: Objection.	02:25:21
5	first 117 million flow?	02:22:43	5	THE WITNESS: I believe that it	02:25:28
6	A. I have a general understanding.	02:22:52	6	says:	02:25:28
7	Q. Okay. What's your general	02:22:57	7	Second, to the Secretary of	02:25:29
8	understanding?	02:23:01	8	Treasury for deposit to the credit of the S&T	02:25:32
9	A. My general understanding is that	02:23:01	9	Trust, which I understand is the Science and	02:25:36
10	after the first 117 million, that there	02:23:06	10	Technology Trust.	02:25:36
11	are -- there's a waterfall for the remaining --	02:23:12	11	BY MS. MILLER:	02:25:39
12	remaining distribution of funds.	02:23:19	12	Q. Okay. And what about third?	02:25:39
13	Q. Okay. And do you know who gets	02:23:21	13	A. The document says:	02:25:44
14	the second payment in the waterfall?	02:23:22	14	Third, to the Secretary of	02:25:46
15	A. I can't recall off the top of my	02:23:26	15	Treasury, the remaining amount of Non-Rum COR	02:26:00
16	head who gets the second payment in the	02:23:29	16	included in such Cover Over Payment.	02:26:06
17	waterfall.	02:23:32	17	Q. Okay. And then what about 4?	02:26:11
18	Q. Well, good news. You don't have	02:23:32	18	A. The document says:	02:26:14
19	to recall off the top of your head. If you	02:23:34	19	Fourth, to the Secretary of	02:26:21
20	look at Section 5(b), it says "Second."	02:23:36	20	Treasury, the remaining amount of other rum	02:26:22
21	So you can just read it and then	02:23:36	21	Cover Over or COR included in such Cover Over	02:26:25
22	tell me if that refreshes your recollection of	02:23:39	22	Payment.	02:26:28
23	who gets the second flow in the waterfall.	02:23:46	23	Q. Okay. Do you know whether the	02:26:30
24	A. Counsel, could you point me to the	02:23:51	24	Commonwealth accounts for each of these buckets	02:26:32
25	section of the document you're referring to?	02:23:53	25	of rum tax revenues differently when it	02:26:36
		383			385
1	Q. Section 5(b), as in boy.	02:24:01	1	receives them from Citi?	02:26:39
2	Actually -- sorry. Yeah, that's right.	02:24:03	2	A. I'm not certain if there's	02:26:52
3	Section 5(b).	02:24:10	3	different accounting treatment for the rum	02:26:54
4	MS. McKEEN: Atara, when you get	02:24:11	4	revenues in excess of the first 117 million.	02:26:59
5	to a convenient stopping place, if we could	02:24:14	5	Q. Do you know if the 5 million to	02:27:03
6	have a short break, I would appreciate it.	02:24:16	6	the credit of the S&T Trust if -- sorry -- is	02:27:06
7	MS. MILLER: Sure. Actually,	02:24:22	7	credited to the General Fund?	02:27:11
8	almost done with this. I want to go a few	02:24:23	8	A. I'm not positive off the top of my	02:27:20
9	minutes longer, and hopefully I can wrap this	02:24:26	9	head if that is the case.	02:27:23
10	up.	02:24:29	10	Q. What would you do to find out	02:27:26
11	MS. McKEEN: That's great. Thank	02:24:29	11	whether the transfers in (a), (b), (c) and (d)	02:27:28
12	you. Just a quick one.	02:24:30	12	of Section 5 of Exhibit 28 are accounted for	02:27:34
13	MS. MILLER: Okay.	02:24:31	13	differently on the internal accounting records	02:27:38
14	BY MS. MILLER:	02:24:38	14	of the Commonwealth?	02:27:41
15	Q. Mr. Ahlberg, does Section 5(b)	02:24:38	15	A. Apologies, I'm just thinking here.	02:28:07
16	refresh your recollection as to who gets the	02:24:41	16	Would you mind repeating the question?	02:28:10
17	second distribution of rum taxes after the	02:24:43	17	Q. Yeah. My question is:	02:28:11
18	first 117 million?	02:24:46	18	What would you do to determine	02:28:13
19	A. That refreshes my recollection of	02:24:53	19	whether the transfers in Section 5(a), (b), (c)	02:28:14
20	what this lockbox agreement says. I can't say	02:24:55	20	and (d) of Exhibit 28 are accounted for	02:28:18
21	for certain that -- off the top of my head that	02:24:59	21	differently on the internal accounting records	02:28:22
22	this is how the cash flow on activity follows.	02:25:03	22	of the Commonwealth?	02:28:24
23	Q. Okay. Who's supposed to get the	02:25:06	23	A. I would -- first, I would discuss	02:28:43
24	next 5 million --	02:25:09	24	with -- with Treasury and review the transfers	02:28:45
25			25	into -- review the, you know, transfers letters	02:28:53

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<p style="text-align: right;">386</p> <p>1 or vouchers that show transfer into the TSA. 02:28:58</p> <p>2 Q. Do you know whether when Citi 02:29:03</p> <p>3 makes transfers under this lockbox agreement it 02:29:07</p> <p>4 specifically identifies whether the 02:29:10</p> <p>5 transfer -- sorry -- which bucket the 02:29:16</p> <p>6 transfer -- let me start over. 02:29:19</p> <p>7 Do you know whether Citi, when it 02:29:21</p> <p>8 makes transfers under the lockbox agreement, 02:29:23</p> <p>9 specifically identifies which bucket the moneys 02:29:26</p> <p>10 fall under? 02:29:29</p> <p>11 A. Would you repeat that question, 02:29:48</p> <p>12 please? 02:29:49</p> <p>13 Q. Yeah. Do you know whether Citi, 02:29:51</p> <p>14 when it makes transfers under the lockbox 02:29:53</p> <p>15 agreement, specifically identifies which bucket 02:29:56</p> <p>16 the moneys fall under? 02:29:58</p> <p>17 A. I'm not positive. I would have to 02:30:21</p> <p>18 double-check on that. 02:30:23</p> <p>19 Q. Okay. Do you know what it means 02:30:26</p> <p>20 for a deposit to be to the credit of the S&T 02:30:38</p> <p>21 Trust? 02:30:48</p> <p>22 A. I'm not sure what is intended by 02:30:48</p> <p>23 that exact phrasing there. 02:30:52</p> <p>24 Q. Do you know whether there is a 02:30:54</p> <p>25 Fund that corresponds to the S&T Trust? 02:30:55</p>	<p style="text-align: right;">388</p> <p>1 BY MS. MILLER: 02:32:28</p> <p>2 Q. Okay. Just, for example, (a) and 02:32:28</p> <p>3 (b), it would have been more simple to just 02:32:30</p> <p>4 make a single transfer to the Secretary of the 02:32:36</p> <p>5 Treasury for 122 million, wouldn't it? 02:32:39</p> <p>6 MS. McKEEN: Objection. 02:32:44</p> <p>7 THE WITNESS: I can't say what 02:32:50</p> <p>8 would have been easier or not. 02:32:52</p> <p>9 BY MS. MILLER: 02:32:54</p> <p>10 Q. Is there any reason you can think 02:32:54</p> <p>11 of why in a Flow of Funds the first 117 million 02:32:56</p> <p>12 being transferred to the Secretary -- to the 02:33:01</p> <p>13 Secretary of the Treasury for the credit of 02:33:03</p> <p>14 PRIFA was broken out from the next \$5 million 02:33:05</p> <p>15 that were being transferred to the Secretary of 02:33:09</p> <p>16 the Treasury for deposit to the credit of the 02:33:12</p> <p>17 S&T Trust? 02:33:18</p> <p>18 MS. McKEEN: Objection. 02:33:18</p> <p>19 THE WITNESS: Would you please 02:33:26</p> <p>20 repeat the question? 02:33:27</p> <p>21 BY MS. MILLER: 02:33:27</p> <p>22 Q. Is there any reason you can think 02:33:31</p> <p>23 of for why in the Flow of Funds the first 02:33:33</p> <p>24 117 million being transferred to the Secretary 02:33:37</p> <p>25 of Treasury for the credit of PRIFA was broken 02:33:40</p>
<p style="text-align: right;">387</p> <p>1 A. I do not know whether there is a 02:31:05</p> <p>2 separate Fund number within the PRIFA system 02:31:07</p> <p>3 that identifies S&T Trust money. 02:31:11</p> <p>4 Q. Would you expect the Commonwealth 02:31:18</p> <p>5 to account differently for moneys deposited to 02:31:21</p> <p>6 the credit of the S&T Trust from moneys 02:31:26</p> <p>7 deposited to the credit of PRIFA? 02:31:30</p> <p>8 UNIDENTIFIED SPEAKER: Objection. 02:31:40</p> <p>9 THE WITNESS: I mean, nothing -- 02:31:41</p> <p>10 I'm not sure how S&T would account for those 02:31:45</p> <p>11 differently from one another. 02:31:49</p> <p>12 BY MS. MILLER: 02:31:50</p> <p>13 Q. Okay. Do you know why the 02:31:51</p> <p>14 Commonwealth asks Citi to separately break out 02:31:52</p> <p>15 amounts that were going to the Treasury for 02:31:59</p> <p>16 deposit of the credit into different entities? 02:32:02</p> <p>17 MS. McKEEN: Objection. 02:32:08</p> <p>18 THE WITNESS: I do not know why 02:32:09</p> <p>19 Citibank does that. 02:32:11</p> <p>20 BY MS. MILLER: 02:32:13</p> <p>21 Q. My question was why does the 02:32:13</p> <p>22 Commonwealth ask them to do it. 02:32:15</p> <p>23 MS. McKEEN: Objection. 02:32:19</p> <p>24 THE WITNESS: I don't know why the 02:32:22</p> <p>25 Commonwealth would have asked them to do that. 02:32:24</p>	<p style="text-align: right;">389</p> <p>1 out from the next 5 million that were being 02:33:45</p> <p>2 transferred to the Secretary of Treasury for 02:33:48</p> <p>3 deposit to the credit of the S&T Trust? 02:33:53</p> <p>4 MS. McKEEN: Objection. 02:33:57</p> <p>5 THE WITNESS: I can't speculate as 02:33:59</p> <p>6 to why. 02:34:04</p> <p>7 BY MS. MILLER: 02:34:11</p> <p>8 Q. Okay. All right. Let's -- I'm 02:34:11</p> <p>9 going to do one more quick exhibit, Liz, and 02:34:18</p> <p>10 then I'll take a break. It shouldn't take more 02:34:22</p> <p>11 than a minute. 02:34:24</p> <p>12 MS. MILLER: Can we mark tab 1302 02:34:26</p> <p>13 as Exhibit 29? 02:34:28</p> <p>14 (Monolines Exhibit 29 is 02:34:28</p> <p>15 introduced for the record.) 02:35:03</p> <p>16 BY MS. MILLER: 02:35:03</p> <p>17 Q. Okay. Mr. Ahlberg, is this a 02:35:04</p> <p>18 document that you've seen before or a form of 02:35:05</p> <p>19 document that you've seen before? 02:35:07</p> <p>20 A. Yes. 02:35:22</p> <p>21 Q. Okay. And what is it? 02:35:23</p> <p>22 A. It is a lockbox receipt notice. 02:35:29</p> <p>23 Q. And can we just look at the second 02:35:35</p> <p>24 page of this document? 02:35:37</p> <p>25 Okay. Mr. Ahlberg, does this 02:35:41</p>

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1	refresh your recollection about whether Citi in	02:35:42	1	time for a break.	02:38:27
2	fact breaks out into each category the amount	02:35:49	2	Liz, how long do you want to take?	02:38:30
3	of the disbursement?	02:35:54	3	MS. McKEEN: 10.	02:38:33
4	A. Yes.	02:36:01	4	MS. MILLER: Okay. Great.	02:38:34
5	Q. Okay. And so Citi would transfer	02:36:02	5	MS. McKEEN: Thank you.	02:38:34
6	in the first 117 million of rum excise taxes,	02:36:06	6	MS. MILLER: Thank you.	02:38:36
7	specifically identifies the recipient as the	02:36:09	7	THE VIDEOGRAPHER: We are off the	02:38:37
8	Secretary of Treasury for deposit to the credit	02:36:14	8	record at 2:39 p.m.	02:38:38
9	of PRIFA, correct?	02:36:18	9	(Recess taken.)	02:38:40
10	UNIDENTIFIED SPEAKER: Note my	02:36:24	10	THE VIDEOGRAPHER: We are back on	02:53:23
11	objection.	02:36:25	11	the record at 2:54 p.m.	02:54:06
12	MS. MILLER: What's your	02:36:34	12	BY MS. MILLER:	02:54:06
13	objection?	02:36:35	13	Q. Okay. I want to go back to	02:54:09
14	UNIDENTIFIED SPEAKER: You've used	02:36:37	14	Exhibit 24, and I want to look at the next	02:54:12
15	the word "identifies" in the present tense, and	02:36:38	15	page, which is the Flow of Funds from July 2015	02:54:34
16	I think it's unclear as to whether you're	02:36:41	16	to March 2016. Do you see that?	02:54:38
17	asking about this specific example or a course	02:36:44	17	A. No.	02:54:47
18	of conduct across all Citi transfers. That's	02:36:48	18	Q. Me neither. There we go.	02:54:56
19	my objection.	02:36:52	19	Now do you see it?	02:54:58
20	MS. MILLER: Okay. I appreciate	02:36:53	20	A. Yes.	02:54:59
21	that clarification.	02:36:54	21	Q. Okay. And just looking at this	02:55:01
22	BY MS. MILLER:	02:36:54	22	chart, based on what you've already said, you	02:55:05
23	Q. Mr. Ahlberg, does this refresh	02:36:56	23	were able to identify -- well, let me ask the	02:55:11
24	your recollection that on August 25, 2017, Citi	02:36:58	24	first question.	02:55:15
25	identifies the recipient of the first	02:37:03	25	The first \$117 million of rum	02:55:15

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1	117 million as Secretary of Treasury for	02:37:04	1	excise taxes flowed, according to this chart,	02:55:20
2	deposit to the credit of PRIFA?	02:37:08	2	from this U.S. Treasury to the Citibank	02:55:24
3	A. Yes, it does refresh my	02:37:16	3	account. And is that the lockbox account?	02:55:29
4	recollection that Citibank produces a document	02:37:17	4	A. Yes.	02:55:32
5	with this information.	02:37:21	5	Q. Okay. And is it your	02:55:33
6	Q. And does it still produce that	02:37:22	6	understanding that that is an account of the	02:55:36
7	document today?	02:37:24	7	Secretary of the Treasury?	02:55:40
8	A. I believe so.	02:37:31	8	A. The Citibank account?	02:55:46
9	Q. And it specifically identifies the	02:37:32	9	Q. The Citibank account, yeah.	02:55:47
10	recipient for the first 117 million as	02:37:36	10	A. I'm not -- I'm not certain there.	02:55:57
11	Secretary of Treasury for deposit to the credit	02:37:41	11	Q. Okay. Well, it's denoted in dark	02:55:59
12	of PRIFA, correct?	02:37:44	12	gray. What does dark gray mean?	02:56:04
13	A. On this document, that is correct.	02:37:47	13	A. In this case, it indicates that	02:56:08
14	Q. Do you believe that's changed in	02:37:50	14	it's not a Commonwealth account.	02:56:10
15	any subsequent documents?	02:37:52	15	Q. So your testimony, as the	02:56:23
16	MS. McKEEN: Objection.	02:37:57	16	corporate representative of the Commonwealth,	02:56:29
17	THE WITNESS: Do not think so.	02:37:59	17	is that the Citibank 9028 account is not a	02:56:30
18	BY MS. MILLER:	02:38:06	18	Commonwealth account?	02:56:35
19	Q. And that's distinct from the	02:38:06	19	A. I'm not certain whether that's	02:56:49
20	Secretary of Treasury for deposit to the credit	02:38:07	20	called a Commonwealth account or not a	02:56:52
21	of the S&T Trust, correct?	02:38:10	21	Commonwealth account. The dark gray is meant	02:56:55
22	A. Different in that it is shown	02:38:16	22	to distinguish it from the TSA operational	02:56:58
23	separately on the Citibank-produced document,	02:38:18	23	accounts as well as the other Commonwealth	02:57:01
24	yes.	02:38:22	24	account 6048.	02:57:04
25	MS. MILLER: Okay. This is a good	02:38:25	25	Q. Okay. Why were you distinguishing	02:57:11

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<p style="text-align: right;">394</p> <p>1 this account? 02:57:15</p> <p>2 A. I mean, it's a separate bank 02:57:27</p> <p>3 account. The dark gray is done to -- to help 02:57:29</p> <p>4 the reader know that that account is separate 02:57:32</p> <p>5 from the TSA 0006 or Account 6048. 02:57:36</p> <p>6 Q. What is Account 6048? 02:57:44</p> <p>7 A. It's a separate account at 02:57:48</p> <p>8 Treasury. 02:57:52</p> <p>9 Q. And what's it used for? 02:57:54</p> <p>10 A. It's -- I believe it's an account 02:58:00</p> <p>11 that's actually no longer used. 02:58:07</p> <p>12 Q. During the period July 2015 to 02:58:10</p> <p>13 March 2016, what was that account used for? 02:58:13</p> <p>14 A. In this case, it received a 02:58:17</p> <p>15 transfer of -- from 0006 and -- more than one 02:58:19</p> <p>16 transfer, potentially many transfers. 02:58:29</p> <p>17 Q. Okay. And the 6048 account is 02:58:31</p> <p>18 designated as a comingled account. Do you see 02:58:34</p> <p>19 that? 02:58:38</p> <p>20 A. Yes. 02:58:38</p> <p>21 Q. What other moneys are deposited 02:58:38</p> <p>22 into the 6048 account or what other 02:58:40</p> <p>23 deposit -- what other moneys were deposited 02:58:45</p> <p>24 into the 6048 account during the period 02:58:47</p> <p>25 July 2015 to March 2016? 02:58:51</p>	<p style="text-align: right;">396</p> <p>1 colloquial name of that account. 03:00:17</p> <p>2 Q. Does that ring a bell, that the 03:00:18</p> <p>3 6048 account was used during this period to 03:00:20</p> <p>4 hold clawback moneys from HTA, CCDA, and PRIFA? 03:00:25</p> <p>5 A. It certainly received transfers of 03:00:32</p> <p>6 funds that either previously or ultimately were 03:00:34</p> <p>7 used for those purposes. 03:00:38</p> <p>8 Q. What purposes do you mean when you 03:00:40</p> <p>9 say "those purposes"? 03:00:43</p> <p>10 A. In this -- in this specific case, 03:00:46</p> <p>11 being an accountant, the Flow of Funds during 03:00:54</p> <p>12 the time in which -- that service payments were 03:00:54</p> <p>13 being made. 03:01:03</p> <p>14 THE REPORTER: I'm sorry. During 03:01:03</p> <p>15 the time in which? 03:01:05</p> <p>16 BY MS. MILLER: 03:01:05</p> <p>17 Q. I didn't get any of that, so... 03:01:08</p> <p>18 A. I heard a couple people there. 03:01:15</p> <p>19 Q. I think the court reporter asked 03:01:18</p> <p>20 you to finish your answer. She didn't catch 03:01:19</p> <p>21 the end of it. 03:01:21</p> <p>22 A. Okay, sorry. Would you mind 03:01:25</p> <p>23 repeating the question? 03:01:27</p> <p>24 Q. I've lost track of it. 03:01:33</p> <p>25 MS. MILLER: Madam Court Reporter, 03:01:34</p>
<p style="text-align: right;">395</p> <p>1 A. I can't recall off the top of my 02:58:55</p> <p>2 head what other moneys were included in that 02:58:57</p> <p>3 transfer or those transfers. 02:58:59</p> <p>4 Q. Do you know whether HTA taxes were 02:59:01</p> <p>5 loaded to the 6048 account? 02:59:07</p> <p>6 A. I can't recall off the top of my 02:59:09</p> <p>7 head without looking at the HTA Flow of Funds 02:59:11</p> <p>8 presentation document. 02:59:15</p> <p>9 Q. Okay. Do you know whether CCDA 02:59:16</p> <p>10 moneys were flowed into the 6048 account during 02:59:20</p> <p>11 this period? 02:59:24</p> <p>12 A. I can't recall which moneys 02:59:30</p> <p>13 besides rum taxes off the top of my head were 02:59:32</p> <p>14 transferred to this account. 02:59:37</p> <p>15 Q. Do you have an understanding of 02:59:39</p> <p>16 why the money was flowed from the 006 account 02:59:40</p> <p>17 into the 6048 account and then back into the 02:59:43</p> <p>18 006 account? 02:59:47</p> <p>19 A. It's a function of internal cash 02:59:53</p> <p>20 management at the time of the Department of 02:59:55</p> <p>21 Treasury. 03:00:02</p> <p>22 Q. Okay. Do you know whether 03:00:02</p> <p>23 60 -- the 6048 account was designated a 03:00:04</p> <p>24 clawback revenue account? 03:00:10</p> <p>25 A. I'm not part of the -- the name or 03:00:11</p>	<p style="text-align: right;">397</p> <p>1 would you mind reading back the last question? 03:01:35</p> <p>2 (Record read as requested.)</p> <p>3 "What do you mean when you say</p> <p>4 "those purposes"?"</p> <p>5 MS. MILLER: We need to go back</p> <p>6 one more question.</p> <p>7 (Record read as requested.)</p> <p>8 Question: "Does that ring a</p> <p>9 bell, that the 6048 account</p> <p>10 was used during this period to</p> <p>11 hold clawback moneys from HTA,</p> <p>12 CCDA, and PRIFA?</p> <p>13 Answer: It certainly received</p> <p>14 transfers of funds that either</p> <p>15 previously or ultimately were</p> <p>16 used for those purposes.</p> <p>17 Question: What purposes do</p> <p>18 you mean when you say "those</p> <p>19 purposes"?</p> <p>20 THE WITNESS: Those purposes, 03:02:55</p> <p>21 meaning to receive bank flows of revenues, you 03:02:56</p> <p>22 know, that could be rum tax revenues or the 03:03:03</p> <p>23 other revenues that you referenced. 03:03:08</p> <p>24 BY MS. MILLER: 03:03:08</p> <p>25 Q. Did the 6048 account receive any 03:03:12</p>

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1	moneys other than clawback money during this	03:03:13	1	understanding of what "clawback revenues"	03:06:01
2	period?	03:03:19	2	means.	03:06:04
3	A. I'm not certain what you're	03:03:25	3	A. My understanding of "clawback	03:06:06
4	referring to as clawback money.	03:03:26	4	revenues" is revenues that either were or are	03:06:09
5	Q. Okay. Have you ever heard the	03:03:29	5	retained by the Commonwealth.	03:06:13
6	term "clawback money"?	03:03:31	6	Q. Can you give me an example of	03:06:21
7	A. I have heard the term "clawback	03:03:32	7	a -- okay. So let me give you an example.	03:06:23
8	money."	03:03:35	8	We looked previously at the	03:06:26
9	Q. And what do you understand it to	03:03:35	9	financial statements and the cash flows, and	03:06:28
10	mean?	03:03:36	10	one category of moneys was federal funds for	03:06:30
11	A. Meaning funds that either were or	03:03:43	11	Medicaid. Do you recall that?	03:06:41
12	are retained at the Commonwealth -- by the	03:03:46	12	A. I do recall.	03:06:42
13	Commonwealth.	03:03:55	13	Q. Okay. And the Commonwealth	03:06:43
14	Q. And when you say money, do you	03:03:55	14	received those moneys, correct, in its TSA	03:06:44
15	specifically mean moneys that are allocated to	03:03:57	15	account?	03:06:47
16	either PRIFA, HTA or CCDA that are currently	03:04:00	16	A. Correct.	03:06:53
17	being retained by the Commonwealth, correct?	03:04:05	17	Q. During the time that the	03:06:54
18	MS. McKEEN: Objection.	03:04:08	18	Commonwealth holds those revenues, are they	03:06:55
19	THE WITNESS: Well, I disagree	03:04:09	19	considered clawback moneys under your	03:06:59
20	with the characterization that they're	03:04:11	20	definition?	03:07:02
21	allocated to those entities.	03:04:13	21	A. I would not consider those	03:07:03
22	BY MS. MILLER:	03:04:14	22	clawback moneys.	03:07:05
23	Q. Well, you don't mean all moneys	03:04:14	23	Q. Okay. So can you suggest or	03:07:07
24	that are held by the Commonwealth, do you? So	03:04:16	24	provide me with -- can you provide me with a	03:07:10
25	define what you mean, please.	03:04:18	25	definition of clawback moneys that would	03:07:13
399			401		
1	A. Moneys that either previously or	03:04:26	1	appropriately distinguish what you mean by	03:07:16
2	continue to flow for debt service.	03:04:31	2	clawback moneys from, for example, the federal	03:07:19
3	Q. Well, not all debt service money	03:04:38	3	funds?	03:07:24
4	went to the 6048 account, did it? So I don't	03:04:40	4	MS. McKEEN: Objection.	03:07:24
5	think that's what you mean by defining clawback	03:04:44	5	THE WITNESS: Could you repeat the	03:07:44
6	money. Can you tell me what you actually mean	03:04:46	6	question?	03:07:45
7	when you use the term "clawback money"?	03:04:50	7	BY MS. MILLER:	03:07:45
8	MS. McKEEN: Objection.	03:04:53	8	Q. Can you give me a definition of	03:07:56
9	BY MS. MILLER:	03:04:53	9	clawback moneys that would appropriately	03:07:58
10	Q. Mr. Ahlberg, what do you	03:04:55	10	distinguish what you mean by clawback moneys	03:08:00
11	understand the term "clawback money" to mean?	03:04:56	11	for, for example, those federal funds?	03:08:04
12	A. I understand the term to refer to	03:05:05	12	A. Okay. So the way I understand	03:08:12
13	revenues that either were or are retained by	03:05:06	13	the -- generally understand the definition of	03:08:15
14	the Commonwealth.	03:05:11	14	"clawback revenues" as you've used it is that	03:08:19
15	Q. Any money or a specific set of	03:05:18	15	this refers to moneys that either were or are	03:08:22
16	money?	03:05:19	16	retained by the Commonwealth. Specifically as	03:08:25
17	A. When I think about -- yeah,	03:05:27	17	it relates to this deposition, I'm referring to	03:08:28
18	there's specific -- yes, specific moneys.	03:05:36	18	rum taxes or HTA allocable revenues, et cetera.	03:08:31
19	Q. And what specific money?	03:05:39	19	Q. And when you say "et cetera," do	03:08:39
20	A. I mean, again, I can't recall off	03:05:46	20	you mean CCDA or (indiscernible)?	03:08:45
21	the top of my head all other, other than the	03:05:49	21	A. Those would be generally included	03:08:48
22	context of rum in the context of looking at	03:05:50	22	in the general term of clawback revenues as I	03:08:50
23	this document in the account 6048.	03:05:55	23	understand it.	03:08:54
24	Q. I'm not even asking about Account	03:05:57	24	Q. Okay. And was the 6048 account an	03:08:55
25	6048 right now. I'm just asking about your	03:05:58	25	account that was specifically used during the	03:08:59

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402			404		
1	July '15 to March 2016 period to hold clawback	03:09:01	1	rum funds.	03:12:15
2	moneys from those particular entities?	03:09:06	2	Q. Okay. But you know that there was	03:12:15
3	A. I believe so, yes.	03:09:15	3	something specific in the internal accounting	03:12:17
4	Q. Do you know whether there are any	03:09:16	4	documents of the Commonwealth that identified	03:12:19
5	other moneys that were deposited into the 6048?	03:09:17	5	the revenues as from among the first	03:12:20
6	A. I don't believe that there were,	03:09:29	6	117 million of rum excise taxes, correct?	03:12:27
7	but I can't recall off the top of my head.	03:09:31	7	A. That's correct.	03:12:35
8	Q. Okay. Do you know approximately	03:09:33	8	Q. And is the same true with respect	03:12:36
9	how much money was deposited into Account 6048	03:09:34	9	to the transfer from the 006 account to the GO	03:12:38
10	during this period?	03:09:40	10	Debt Service?	03:12:48
11	A. Off the top of my head, I do not,	03:09:45	11	A. That's correct.	03:12:48
12	but that's certainly something that we could	03:09:49	12	Q. Do you know whether all of the	03:12:48
13	review and get back to you on.	03:09:51	13	money in the 6048 account was transferred into	03:12:50
14	Q. And how would you determine that?	03:09:53	14	the 006 account during this period?	03:12:54
15	A. I would review the internal daily	03:09:55	15	A. I believe the entirety of the	03:13:03
16	cash flow that I mentioned earlier that	03:10:00	16	balances was actually transferred over. I	03:13:05
17	Treasury maintains, and in there I would look	03:10:05	17	can't recall if it occurs within the parameters	03:13:08
18	at transfers from the TSA operational account	03:10:08	18	of the time period suggested on the slide or	03:13:10
19	through this account.	03:10:14	19	not.	03:13:13
20	Q. Okay. And how were you able to	03:10:16	20	Q. So is the time parameter indicated	03:13:17
21	identify the money from the 006 account into	03:10:20	21	on the slide talking about the starting point	03:13:20
22	the 6048 account -- sorry.	03:10:29	22	of the flow, meaning if the flow of dollars	03:13:24
23	How were you able to identify HTA	03:10:32	23	started between July '15 to March 2016, this is	03:13:30
24	revenues, for example, flowing from the 006	03:10:35	24	how it flowed, that some of these flows may	03:13:35
25	account to the 6048 account?	03:10:39	25	have occurred outside of that period?	03:13:40
403			405		
1	A. If the question is in the context	03:10:49	1	UNIDENTIFIED SPEAKER: Objection.	03:13:42
2	of HTA, would you mind putting the HTA	03:10:51	2	THE WITNESS: None of the flows	03:13:43
3	presentation for this time period up on the	03:10:54	3	presented on this page would have occurred	03:13:45
4	screen?	03:10:56	4	outside the period.	03:13:49
5	Q. I'm not going to do that. I'm	03:11:03	5	BY MS. MILLER:	03:13:55
6	just going to ask you about the HTA later.	03:11:05	6	Q. I thought you just told me that	03:13:55
7	I thought you just told me that	03:11:12	7	some of the money from 6048 may have	03:13:57
8	6048 was used during this time for HTA, PRIFA	03:11:13	8	transferred to 006 outside of this time period.	03:13:59
9	and CCDA. Didn't you just tell me that?	03:11:17	9	A. You asked if the entire balance of	03:14:05
10	A. I believe so, but to answer a	03:11:22	10	6048 was transferred to 0006. Given the nature	03:14:07
11	specific question about HTA, I thought it would	03:11:25	11	that it's comingled, I just -- I can't say for	03:14:11
12	be helpful to have that slide in front of me.	03:11:27	12	certain, looking at this particular diagram,	03:14:16
13	Q. Okay. Well, how do you know that	03:11:29	13	that every single dollar in Account 6048 was	03:14:18
14	the moneys were rum taxes when they flowed from	03:11:36	14	transferred to Account 0006 in this time period	03:14:24
15	the 006 account to the 6048 account?	03:11:40	15	without reviewing --	03:14:27
16	A. By reviewing the transfer details	03:11:43	16	Q. Okay.	03:14:27
17	that corresponded with that transfer.	03:11:47	17	A. -- internal cash flows, as I	03:14:28
18	Q. And what specifically in the	03:11:49	18	mentioned.	03:14:30
19	transfer details allowed you to identify the	03:11:51	19	Q. Okay. And the moneys flowed from	03:14:30
20	moneys as being for the rum taxes or the	03:11:54	20	the 006 account to GO Debt Service. Do you see	03:14:36
21	117 million for the rum taxes?	03:12:00	21	that?	03:14:42
22	A. Without looking at the exact	03:12:04	22	A. I see that.	03:14:42
23	transfer details, I can't -- I can't recall the	03:12:06	23	Q. Was that an actual GO Debt Service	03:14:44
24	exact data point on those transfer details that	03:12:07	24	payment out to bondholder?	03:14:46
25	would have indicated who was the transferor of	03:12:11	25	A. I'm sorry, what was the question?	03:15:01

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406			408		
1	Q. Does that reflect an actual	03:15:06	1	March '16 period, were made from the 006	03:18:17
2	payment of GO Debt Service to bondholder?	03:15:08	2	account, the GO Debt Service account?	03:18:20
3	A. Those transfers were made toward	03:15:26	3	A. Without seeing a single account	03:18:26
4	the GO Debt Service. I'm uncertain to -- to	03:15:29	4	during this time period, I believe that the	03:18:31
5	the exact accounts, all of the accounts there.	03:15:34	5	other TSA account would have had balances	03:18:33
6	Q. Was it made to third parties?	03:15:40	6	during this time period.	03:18:35
7	A. I'm not positive.	03:15:49	7	Q. Okay. I'm going to ask you the	03:18:36
8	Q. So you don't know if it was	03:15:54	8	same question I asked you previously with	03:18:46
9	transferred into a Commonwealth GO Debt Service	03:15:57	9	respect to the prior Flow of Funds.	03:18:47
10	account but never transferred subsequently to	03:16:02	10	Just looking at this document for	03:18:49
11	third parties?	03:16:04	11	the period July '15 to March 2016, it's	03:18:54
12	A. I can't recall off the top of my	03:16:09	12	correct, is it not, that the only account	03:18:59
13	head, but I think we provided documents of that	03:16:10	13	through which the full 117 million of the first	03:19:01
14	transfer.	03:16:14	14	rum excise tax revenue flow are the Citibank	03:19:07
15	Q. And what kind of documents do you	03:16:18	15	9028 account and the GDB 006 account, correct?	03:19:11
16	believe you provided reflecting that transfer	03:16:20	16	MS. McKEEN: Object to form.	03:19:16
17	or those transfers?	03:16:24	17	THE WITNESS: The first	03:19:24
18	A. I believe we provided transfer --	03:16:26	18	117 million would be received into the Citibank	03:19:26
19	transfer details showing the transfer out of	03:16:30	19	lockbox as well as transferred into GDB Account	03:19:30
20	GDB Account 0006 for GO Debt Service.	03:16:32	20	0006.	03:19:35
21	Q. And you can't recall whether it	03:16:35	21	BY MS. MILLER:	03:19:35
22	was to another internal Commonwealth account or	03:16:37	22	Q. Okay. And then no other account	03:19:38
23	to a third party?	03:16:40	23	reflected on this chart -- sorry.	03:19:40
24	A. I can't recall.	03:16:47	24	The full first 117 million of rum	03:19:46
25	Q. Okay. Do you know approximately	03:16:48	25	excise taxes do not flow through any other	03:19:49
407			409		
1	how much money was transferred from the 006	03:16:50	1	account reflected on this Flow of Funds,	03:19:51
2	account to GO Debt Service during this time	03:16:54	2	correct?	03:20:00
3	period?	03:16:57	3	A. There's no other transfer of	03:20:00
4	A. I can't recall exactly how much	03:17:01	4	117 million or -- on this -- on this Flow of	03:20:04
5	that transfer was or those transfers were given	03:17:02	5	Funds.	03:20:12
6	the transfer that's comingled with other	03:17:07	6	Q. Okay. So that's a yes, right?	03:20:12
7	retained revenues.	03:17:10	7	MS. McKEEN: Objection.	03:20:15
8	Q. Okay. Do you know whether there	03:17:14	8	THE WITNESS: The first	03:20:18
9	were any other moneys remaining in the 006	03:17:18	9	117 million flows to the Citibank account, and	03:20:22
10	account when that transfer was made?	03:17:21	10	then that 117 million will flow to the GDB	03:20:26
11	A. Being the operational account of	03:17:33	11	account 0006.	03:20:29
12	the Commonwealth and TSA, there would	03:17:39	12	It is true then that a total of	03:20:34
13	definitely be a balance in that account even	03:17:41	13	117 million would not flow from GDB Account	03:20:37
14	after it transferred.	03:17:45	14	0006 to 6048 with respect to rum taxes.	03:20:39
15	Q. Okay. And the 006 account, does	03:17:48	15	BY MS. MILLER:	03:20:39
16	that refer to a single bank account within the	03:17:50	16	Q. Okay. I just want to look quickly	03:20:45
17	TSA?	03:17:53	17	at the last page in the Flow of Funds, and this	03:20:52
18	A. Yes.	03:17:58	18	reflects the Flow of Funds from April of 2016	03:20:57
19	Q. Okay. And are there other bank	03:17:59	19	to the present. Do you see that?	03:21:03
20	accounts within the TSA?	03:18:01	20	A. Yes.	03:21:07
21	A. Yes.	03:18:02	21	Q. Okay. And here there's a change	03:21:07
22	Q. Do you know whether the other bank	03:18:04	22	in the Flow of Funds where the moneys go from	03:21:15
23	accounts in the TSA had any money at the time	03:18:05	23	the U.S. Treasury to the Citibank account,	03:21:21
24	that the transfers of these retained revenues	03:18:09	24	correct? And then they go into the Banco	03:21:26
25	were made, as reflected in this July '15 to	03:18:12	25	Popular 9458 account. Do you see that?	03:21:31

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410			412		
1	A. Yes, I see that.	03:21:37	1	being deposited in the 006 account, which is	03:25:15
2	Q. Okay. During the April 2016 to	03:21:38	2	the equivalent account to the current BPPR 9458	03:25:18
3	the present time period, that has replaced the	03:21:40	3	account, right? And we were able to identify	03:25:22
4	GDB 006 account as the main operational account	03:21:42	4	outflows as a revenue source of rum excise	03:25:28
5	of the Commonwealth, correct?	03:21:46	5	taxes. Do you recall doing that exercise on	03:25:30
6	A. Correct.	03:21:52	6	the prior two terms?	03:25:33
7	Q. Okay. And then we see -- a	03:21:52	7	A. Yes.	03:25:35
8	million dollars transferring to the PRIFA	03:21:55	8	Q. Okay. So my question is:	03:25:36
9	BPPR 2882 account. Do you see that?	03:21:59	9	Why could you not do that exercise	03:25:39
10	A. Yes.	03:22:05	10	for the April '16 to present period?	03:25:42
11	Q. And has that account replaced the	03:22:05	11	A. Maybe I'm not understanding the	03:25:52
12	GDB 0704 account as the primary PRIFA operating	03:22:08	12	exercise that you're referring to. Could you	03:25:58
13	account?	03:22:14	13	please repeat that?	03:26:00
14	A. Would you mind giving me control	03:22:16	14	Q. I'm going to ask a different	03:26:01
15	of the document, please?	03:22:18	15	question.	03:26:02
16	Q. Sure.	03:22:20	16	Is it your understanding that the	03:26:03
17	A. Thank you.	03:22:39	17	rum excise taxes collected between April 2016	03:26:04
18	That's correct.	03:22:49	18	and the present still remain in the TSA?	03:26:08
19	Q. Okay. And the Flow of Funds	03:22:51	19	MS. McKEEN: Objection.	03:26:17
20	stopped here with the Banco Popular 9045	03:22:54	20	THE WITNESS: It's true that	03:26:19
21	account and the Banco Popular 2882 account; is	03:23:02	21	revenue earned from rum taxes from April 2016	03:26:20
22	that right?	03:23:02	22	to present were transferred into the TSA	03:26:24
23	A. Correct.	03:23:12	23	account.	03:26:28
24	Q. Are there any outflows of rum	03:23:12	24	BY MS. MILLER:	03:26:29
25	excise taxes out of the BPPR 9458 account?	03:23:14	25	Q. Have you seen any evidence of an	03:26:29
411			413		
1	A. Besides the \$1 million discrete	03:23:31	1	outflow from the TSA of rum tax revenue?	03:26:31
2	transfer, as documented on this presentation,	03:23:34	2	A. Besides the \$1 million discrete	03:26:42
3	there would have been no transfers out of the	03:23:45	3	transfer noted on the slide, I've seen no	03:26:46
4	TSA operational account for which revenue	03:23:49	4	transfers out of the TSA. The fund source,	03:26:51
5	source was rum tax revenues.	03:23:54	5	revenue source was rum taxes.	03:26:54
6	Q. Is that because the rum tax	03:24:00	6	Q. Okay. And in the prior period	03:26:55
7	revenues don't fit in the operational account?	03:24:02	7	that we looked at, so the entire period from	03:26:57
8	A. It's not possible to know that.	03:24:21	8	January 2014 to March 2016, you were able to	03:27:01
9	Q. And why not?	03:24:24	9	identify outflows of rum tax revenues from the	03:27:07
10	A. Because the TSA is a collection of	03:24:25	10	General Fund, correct?	03:27:11
11	bank accounts that transfer between one	03:24:35	11	Sorry. Let me restate that.	03:27:13
12	another.	03:24:37	12	For the period January 2014	03:27:17
13	Q. Okay. So you think the rum excise	03:24:41	13	through March 2016, when rum taxes flowed out	03:27:19
14	taxes are sitting somewhere in the TSA but not	03:24:44	14	of the Commonwealth's main operational account,	03:27:25
15	necessarily in the 9458 account. Is that what	03:24:46	15	you were able to identify that, correct?	03:27:27
16	you're saying?	03:24:48	16	A. No. We were able to identify	03:27:32
17	UNIDENTIFIED SPEAKER: Objection.	03:24:52	17	transfers from the operational account whose	03:27:34
18	THE WITNESS: Once the cash is	03:24:55	18	fund source was rum tax revenue.	03:27:39
19	in -- once the proceeds from rum revenue is	03:24:57	19	Q. Okay. So for the period	03:27:46
20	deposited to the TSA, those dollars -- that	03:25:02	20	January 2014 through March 2016, you were able	03:27:49
21	cash is indistinguishable from other dollars	03:25:05	21	to identify transfers from the operational	03:27:52
22	and cash within the TSA account.	03:25:07	22	account whose fund source was rum tax revenue;	03:27:54
23	BY MS. MILLER:	03:25:07	23	is that correct?	03:27:54
24	Q. Okay. I know that. But on the	03:25:10	24	A. That is correct.	03:28:04
25	previous chart, we saw the rum tax revenues	03:25:11	25	Q. Okay. And you were not able to	03:28:04

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414			416		
1	identify any outflow with the fund source of	03:28:09	1	Q. Okay. And what work did	03:30:59
2	rum tax revenues during the period April 2016	03:28:12	2	you -- have you done with respect to the	03:31:03
3	to the present; is that correct?	03:28:16	3	Tourism Company?	03:31:05
4	A. It's not that we were unable to.	03:28:29	4	A. Generally cash flow reporting and	03:31:11
5	It's that we did not identify anything as such.	03:28:33	5	cash flow workout scenes.	03:31:15
6	Q. Okay. So to the best of your	03:28:37	6	Q. How long have you been doing work	03:31:26
7	knowledge, there were no outflows from the TSA	03:28:45	7	related to the Tourism Company?	03:31:31
8	with a revenue source of rum excise taxes,	03:28:51	8	A. It's hard to say specifically.	03:31:40
9	correct?	03:28:51	9	My work with the Commonwealth	03:31:41
10	UNIDENTIFIED SPEAKER: Objection.	03:28:58	10	overlaps with various instrumentalities since I	03:31:43
11	BY MS. MILLER:	03:28:58	11	began work at the Commonwealth.	03:31:46
12	Q. Sorry. During this period, from	03:28:58	12	Q. Did you similarly put together the	03:32:04
13	April -- let me just restate it so we have a	03:29:00	13	Flow of Funds for CCDA?	03:32:10
14	clean question.	03:29:02	14	A. For tourism? Yes.	03:32:17
15	To the best of your knowledge,	03:29:03	15	Q. Okay. And who at CCDA did you	03:32:20
16	there were no outflows from April 2016 to the	03:29:05	16	work with?	03:32:23
17	present from the TSA with a revenue source of	03:29:09	17	UNIDENTIFIED SPEAKER: Objection.	03:32:27
18	the rum excise taxes, correct?	03:29:14	18	BY MS. MILLER:	03:32:27
19	A. With the exception of the	03:29:22	19	Q. All right. Who, if anybody, did	03:32:30
20	\$1 million listed on this presentation	03:29:23	20	you speak to at CCDA?	03:32:33
21	document, that is correct.	03:29:26	21	A. We worked with individuals	03:32:35
22	Q. Thank you.	03:29:31	22	employed by the Tourism Company.	03:32:37
23	I'm going to switch to talking	03:29:31	23	Q. And why did you speak with people	03:32:43
24	about CCDA.	03:29:46	24	employed by the Tourism Company rather than	03:32:44
25	Now, I mentioned it earlier,	03:29:48	25	CCDA?	03:32:47
415			417		
1	Mr. Ahlberg. Do you have an understanding that	03:29:50	1	A. Because putting together the Flow	03:32:50
2	when I say "CCDA" -- do you have an	03:29:53	2	of Funds, the Tourism Company individuals and	03:32:53
3	understanding of what I mean when I say "CCDA"?	03:29:55	3	management team were the ones with the	03:32:57
4	A. Would you please clarify for me?	03:30:03	4	requisite knowledge to help develop an accurate	03:32:59
5	Q. Sure. I think it's the Convention	03:30:06	5	Flow of Funds.	03:33:03
6	Center Development Authority.	03:30:11	6	Q. Did you speak to anybody at	03:33:04
7	A. Oh, okay.	03:30:15	7	Treasury about putting together a CCDA Flow of	03:33:05
8	Q. And when I say "Tourism Company,"	03:30:15	8	Funds?	03:33:12
9	do you know what I mean?	03:30:19	9	A. I spoke with Treasury about	03:33:12
10	A. Yes.	03:30:21	10	putting together a Flow of Funds for the	03:33:17
11	Q. Okay. Do you have any -- have you	03:30:21	11	Tourism Company.	03:33:19
12	had any involvement in -- sorry. Let me	03:30:24	12	Q. And who did you speak to at	03:33:19
13	restate it.	03:30:31	13	Treasury?	03:33:21
14	So when I say "CCDA," I mean the	03:30:32	14	A. Off the top of my head, I can	03:33:26
15	Convention Center District Authority. Do you	03:30:35	15	recall Jeira Belén and Hector Gomez.	03:33:28
16	understand that?	03:30:37	16	Q. And what did they tell you -- or	03:33:34
17	A. Yes.	03:30:38	17	what did you talk to them about specifically	03:33:35
18	Q. When I say -- sorry, not when I	03:30:39	18	with respect to the Tourism Flow of Funds?	03:33:38
19	say.	03:30:43	19	A. I think it depends on the	03:33:46
20	Have you had any involvement with	03:30:43	20	conversation, that generally our conversations	03:33:47
21	CCDA in your -- the ordinary course of your	03:30:45	21	were focused on aligning with the accuracy as	03:33:49
22	work for AAFAF?	03:30:49	22	presented in the Flow of Funds presentation.	03:33:53
23	A. No.	03:30:53	23	Q. What do you mean by "aligning with	03:34:01
24	Q. What about the Tourism Company?	03:30:54	24	the accuracy as presented in the Flow of Funds	03:34:03
25	A. Yes.	03:30:59	25	presentation"? I don't understand that.	03:34:06

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418			420		
1	A. I just mean collective review and	03:34:09	1	A. I'm not aware of a specific	03:36:34
2	collaboration that the Flow of Funds	03:34:12	2	Holding Fund.	03:36:35
3	presentation is correct.	03:34:14	3	Q. Have you ever heard that term used	03:36:39
4	Q. Did Treasury have any specific	03:34:16	4	in connection with CCDA or the Tourism Company?	03:36:40
5	information about the revenue stream or the	03:34:19	5	A. I may have heard the term, but I	03:36:49
6	flow of the revenue?	03:34:25	6	am not generally familiar with it.	03:36:51
7	A. I can't recall specifically if I	03:34:28	7	Q. Do you know whether there's an	03:36:52
8	obtained revenue information from Treasury.	03:34:32	8	accounting designation in the Commonwealth or	03:36:54
9	MS. MILLER: Okay. Okay. So I'd	03:34:39	9	Tourism Company account that correspond to a	03:36:56
10	like to mark as the next exhibit tab 2001,	03:34:46	10	Holding Fund?	03:36:59
11	please.	03:34:53	11	A. I'm not positive about an	03:37:06
12	(Monolines Exhibit 30 is	03:34:53	12	accounting designation of a specific Holding	03:37:08
13	introduced for the record.)	03:34:57	13	Fund.	03:37:12
14	BY MS. MILLER:	03:34:57	14	Q. Okay. Are you thinking of a	03:37:16
15	Q. Mr. Ahlberg, in connection with	03:34:57	15	different accounting designation that relates	03:37:18
16	preparing the Flow of Funds, did you review the	03:34:59	16	to hotel occupancy taxes?	03:37:22
17	assignment and coordination agreement between	03:35:01	17	A. I'm not certain, just not being	03:37:33
18	the Tourism Company and the GDB?	03:35:06	18	familiar with the Holding Fund terminology.	03:37:36
19	A. I personally did not review that	03:35:12	19	Q. And my question was:	03:37:40
20	specific document.	03:35:14	20	Are you aware of any accounting	03:37:41
21	Q. Are you aware if such a document	03:35:16	21	designations that relate to the hotel occupancy	03:37:42
22	exists?	03:35:19	22	taxes?	03:37:51
23	A. I have heard others refer to that	03:35:23	23	A. I'm not certain of accounting	03:37:52
24	document.	03:35:27	24	designations.	03:37:53
25	Q. Okay. And in what context have	03:35:27	25	Q. And here it says that the moneys	03:38:05

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1	you heard others refer to the document?	03:35:30	1	will be deposited as collected into the Holding	03:38:07
2	A. I can't recall specifically. I	03:35:33	2	Fund. Do you see that?	03:38:11
3	just know in general, I'm familiar with -- with	03:35:35	3	A. I do see that.	03:38:11
4	the term or the name of the document.	03:35:39	4	Q. And what does that mean to you?	03:38:16
5	Q. Okay. So you've heard of it, you	03:35:42	5	A. It means that all hotel occupancy	03:38:18
6	just don't remember specifically where.	03:35:44	6	tax revenues will be deposited as collected	03:38:22
7	A. Correct.	03:35:47	7	into the Holding Fund.	03:38:26
8	Q. Okay. So you have in front of you	03:35:48	8	Q. And what does it mean to be	03:38:27
9	a document that's been marked as Monolines	03:35:50	9	deposited into a Fund?	03:38:29
10	Exhibit 30. It is the Assignment and	03:35:52	10	A. Generally it -- I mean, it depends	03:38:33
11	Coordination Agreement between -- by and	03:35:54	11	on how they're using the word "Fund" here, but,	03:38:36
12	between the Tourism Company and the GDB. Do	03:35:57	12	generally, it would mean cash deposits into	03:38:41
13	you see that?	03:36:03	13	whatever this concept of -- of Fund definitions	03:38:46
14	A. I see that.	03:36:03	14	are used.	03:38:49
15	Q. Okay. And I'd like you to look	03:36:05	15	Q. Does that make sense to you?	03:38:58
16	specifically at Section 1, which is right there	03:36:06	16	A. Does what make sense to me?	03:39:04
17	on the first page, and it says:	03:36:09	17	Q. The idea of a cash deposit into a	03:39:09
18	The Tourism Company hereby creates	03:36:11	18	Fund.	03:39:11
19	a Special Fund called the Assignment and	03:36:13	19	A. It makes sense that there would be	03:39:16
20	Coordination Agreement ("Holding Fund"),	03:36:15	20	cash deposits into a bank account.	03:39:18
21	("Holding Fund"). All hotel occupancy tax	03:36:18	21	Q. What about into the Fund?	03:39:20
22	revenues will be deposited, as collected, into	03:36:22	22	A. I don't know. It depends on	03:39:26
23	the Holding Fund.	03:36:25	23	what's meant by "Fund."	03:39:28
24	Have you ever heard of the Holding	03:36:28	24	Q. Okay. Well, what do you think is	03:39:33
25	Fund?	03:36:34	25	meant by "Fund" here?	03:39:37

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<p style="text-align: right;">422</p> <p>1 UNIDENTIFIED SPEAKER: Objection. 03:39:44</p> <p>2 BY MS. MILLER: 03:39:46</p> <p>3 Q. Do you have an understanding of 03:39:46</p> <p>4 how the Commonwealth uses the word "Fund"? 03:39:48</p> <p>5 UNIDENTIFIED SPEAKER: Objection. 03:39:52</p> <p>6 THE WITNESS: The Commonwealth 03:39:53</p> <p>7 uses the word "Fund" in various ways, and often 03:39:54</p> <p>8 very loosely, and the way that I think about 03:39:57</p> <p>9 Fund is about Funds numbered specifically 03:40:00</p> <p>10 within the PRIFA system. 03:40:02</p> <p>11 BY MS. MILLER: 03:40:02</p> <p>12 Q. Okay. Section 2 says that: 03:40:08</p> <p>13 The holding Fund shall contain two 03:40:10</p> <p>14 accounts identified as the Transfer Account and 03:40:13</p> <p>15 the Surplus Account. Do you see that? 03:40:16</p> <p>16 A. I see that. 03:40:18</p> <p>17 Q. Have you ever heard of the 03:40:19</p> <p>18 transfer account before? 03:40:21</p> <p>19 A. Yes. 03:40:26</p> <p>20 Q. And have you ever heard of the 03:40:26</p> <p>21 surplus account before? 03:40:28</p> <p>22 A. Yes. 03:40:30</p> <p>23 Q. Okay. Do you have an 03:40:30</p> <p>24 understanding of what revenues are assumed to 03:40:32</p> <p>25 be deposited into the transfer account? 03:40:36</p>	<p style="text-align: right;">424</p> <p>1 testimony that all hotel occupancy taxes have 03:41:51</p> <p>2 to flow through the transfer account, is that 03:41:56</p> <p>3 what I just heard you say? 03:41:59</p> <p>4 A. It is not my testimony that all 03:42:06</p> <p>5 hotel occupancy taxes have to flow through the 03:42:07</p> <p>6 transfer account. It is my testimony that in 03:42:11</p> <p>7 practice, in fact, depending on the time period 03:42:18</p> <p>8 in question, that all -- all hotel occupancy 03:42:20</p> <p>9 taxes would pass through the transfer account. 03:42:24</p> <p>10 BY MS. MILLER: 03:42:24</p> <p>11 Q. Okay. So when I asked you if you 03:42:29</p> <p>12 have an understanding of what revenues are 03:42:31</p> <p>13 required to be deposited into the transfer 03:42:33</p> <p>14 account, you weren't answering that question, 03:42:35</p> <p>15 you were answering a different question when 03:42:36</p> <p>16 you said all hotel occupancy taxes would 03:42:39</p> <p>17 eventually be transferred to the transfer 03:42:42</p> <p>18 account? So it's just a statement not 03:42:45</p> <p>19 responsive to my question? 03:42:47</p> <p>20 UNIDENTIFIED SPEAKER: Objection. 03:42:49</p> <p>21 THE WITNESS: I think I lost the 03:42:57</p> <p>22 factual question that you're actually asking. 03:42:59</p> <p>23 Would you mind -- 03:43:01</p> <p>24 BY MS. MILLER: 03:43:01</p> <p>25 Q. Okay. Let me just ask -- let me 03:43:02</p>
<p style="text-align: right;">423</p> <p>1 A. Yes. 03:40:40</p> <p>2 Q. Okay. And what moneys are those? 03:40:40</p> <p>3 A. In general, all hotel occupancy 03:40:47</p> <p>4 taxes would eventually be transferred to the 03:40:52</p> <p>5 transfer account. 03:40:59</p> <p>6 Q. Okay. Your testimony -- sorry, I 03:41:11</p> <p>7 forgot to ask. 03:41:15</p> <p>8 Are you also testifying as the 03:41:16</p> <p>9 corporate representative for the Tourism 03:41:20</p> <p>10 Company today? 03:41:22</p> <p>11 A. Yes. 03:41:22</p> <p>12 Q. And you've also been designated as 03:41:22</p> <p>13 the corporate representative for CCDA; is that 03:41:25</p> <p>14 correct? 03:41:28</p> <p>15 A. No. 03:41:28</p> <p>16 Q. Okay. You're not the corporate 03:41:30</p> <p>17 representative for CCDA? 03:41:32</p> <p>18 A. No. 03:41:35</p> <p>19 MS. MILLER: Okay. We don't get a 03:41:37</p> <p>20 corporate representative for CCDA, Liz? 03:41:38</p> <p>21 MS. McKEEN: You haven't noticed 03:41:43</p> <p>22 one. 03:41:45</p> <p>23 MS. MILLER: Okay. 03:41:47</p> <p>24 BY MS. MILLER: 03:41:47</p> <p>25 Q. Okay. So is the Tourism's 03:41:50</p>	<p style="text-align: right;">425</p> <p>1 just ask you my same question again. 03:43:04</p> <p>2 Do you have an understanding of 03:43:06</p> <p>3 what revenues are required to be deposited into 03:43:08</p> <p>4 the transfer account? 03:43:10</p> <p>5 A. I'm not an attorney. I don't know 03:43:17</p> <p>6 what revenues are required to be transferred 03:43:19</p> <p>7 into that account, but I can tell you, 03:43:23</p> <p>8 depending on the time period, what revenues did 03:43:24</p> <p>9 or did not pass through that account. 03:43:26</p> <p>10 Q. Okay. So are lawyers the only 03:43:28</p> <p>11 people who have to take into account and 03:43:30</p> <p>12 consider what moneys have to flow into what 03:43:33</p> <p>13 account? 03:43:35</p> <p>14 UNIDENTIFIED SPEAKER: Objection. 03:43:40</p> <p>15 THE WITNESS: I don't know. But 03:43:52</p> <p>16 there -- attorneys would certainly provide the 03:43:55</p> <p>17 context for whether there was a requirement or 03:43:59</p> <p>18 not a requirement to do so based on the law. 03:44:00</p> <p>19 BY MS. MILLER: 03:44:00</p> <p>20 Q. Okay. Well, what about 03:44:06</p> <p>21 accountants, do they look at documents like 03:44:07</p> <p>22 this to determine Flow of Funds and any 03:44:09</p> <p>23 conditions or restrictions related to various 03:44:13</p> <p>24 moneys? 03:44:15</p> <p>25 A. I can't speculate on what general 03:44:20</p>

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1	accountants might view or not view.	03:44:23	1	UNIDENTIFIED SPEAKER: Objection.	03:46:43
2	Q. Okay. Well, in any of your	03:44:26	2	BY MS. MILLER:	03:46:43
3	five-plus accounting courses that you took in	03:44:30	3	Q. Okay. So I'm asking you not as a	03:46:44
4	college, did any of them consider the need in	03:44:32	4	lawyer but from an operational perspective, do	03:46:46
5	reviewing accounting materials to consider	03:44:34	5	you have an understanding of what moneys under	03:46:49
6	legal, contractual or other restrictions or	03:44:38	6	the assignment and coordination agreement are	03:46:51
7	requirements associated with various funds?	03:44:42	7	supposed to flow through the transfer account?	03:46:53
8	UNIDENTIFIED SPEAKER: Objection.	03:44:46	8	MS. McKEEN: Objection.	03:46:58
9	THE WITNESS: I can't recall if	03:44:51	9	THE WITNESS: I'm not certain what	03:47:06
10	there's a specific section like that in one of	03:44:52	10	this document would require or not require, but	03:47:08
11	the classes I took in college.	03:44:54	11	I can't tell you or answer questions about in	03:47:12
12	BY MS. MILLER:	03:44:54	12	practice and actuality what happened and where	03:47:15
13	Q. I'm not asking for a specific	03:44:58	13	funds would flow.	03:47:17
14	section. I'm just asking if that concept ever	03:45:01	14	BY MS. MILLER:	03:47:17
15	came up.	03:45:04	15	Q. Well, so let me ask you about that	03:47:18
16	MS. McKEEN: Objection.	03:45:04	16	in practice and then reality.	03:47:19
17	THE WITNESS: I can't recall if	03:45:12	17	Have you seen any documents that	03:47:23
18	that context specifically came up in class or	03:45:13	18	specifically identify any bank account that	03:47:24
19	not.	03:45:13	19	you've included on your Flow of Funds as the	03:47:28
20	BY MS. MILLER:	03:45:15	20	transfer account?	03:47:30
21	Q. Would operational people within	03:45:15	21	A. Yes.	03:47:33
22	Treasury have to know what moneys are required	03:45:17	22	Q. Okay. What document?	03:47:34
23	to flow into what account?	03:45:18	23	A. I believe I misunderstood your	03:47:44
24	MS. McKEEN: Objection.	03:45:27	24	question and answered -- answered a question	03:47:47
25	THE WITNESS: People at Treasury	03:45:31	25	that you did not ask.	03:47:51
427			429		
1	would be knowledgeable about different bank	03:45:32	1	Q. Okay. So let me ask my question	03:47:52
2	accounts and transfer between bank accounts.	03:45:36	2	again.	03:47:55
3	BY MS. MILLER:	03:45:36	3	Have you seen any document in all	03:47:55
4	Q. And the basis for those transfers,	03:45:42	4	of the work that you've done in putting	03:48:01
5	correct?	03:45:50	5	together the Tourism Company Flow of Funds that	03:48:04
6	A. Potentially. I can't say whether	03:45:50	6	specifically identifies any bank account	03:48:07
7	one person at Treasury does or does not know	03:45:52	7	reflected on your Flow of Funds as the transfer	03:48:11
8	the basis for executing their operational job	03:45:56	8	account?	03:48:16
9	functions.	03:46:00	9	A. I can't recall personally	03:48:19
10	Q. Okay. But they need to know what	03:46:01	10	reviewing a document that identified a specific	03:48:21
11	the requirements are in order to execute and	03:46:03	11	account as the transfer account, but through	03:48:23
12	direct money to appropriate people, right?	03:46:06	12	the collaborative process and work with	03:48:28
13	There are operational people in	03:46:09	13	Treasury and the team that was pulling	03:48:31
14	whatever the relevant entity is, whether it's	03:46:11	14	documents for discovery, I'm confident that I	03:48:36
15	the Commonwealth or whether it's Tourism	03:46:14	15	can identify the transfer account on the Flow	03:48:41
16	Company, correct?	03:46:15	16	of Funds presentation.	03:48:44
17	A. Certainly there are people who	03:46:21	17	Q. Okay. I'd like to know if you or	03:48:46
18	review that information to know how to execute	03:46:23	18	anybody you've worked with has either seen or	03:48:49
19	transfers.	03:46:27	19	told you that there exists a document that	03:48:53
20	Q. Okay. And among those people are	03:46:28	20	identifies a particular bank account as the	03:48:57
21	the people who you've referred to multiple	03:46:29	21	transfer account.	03:49:03
22	times both today and on Tuesday as "we,"	03:46:32	22	A. I can't recall a specific document	03:49:06
23	referring to the Treasury, correct?	03:46:36	23	that somebody referenced, but I do know which	03:49:11
24	A. Correct.	03:46:42	24	account is referred to as the transfer account.	03:49:13
25			25	Q. Okay. I don't want to know your	03:49:16

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<p style="text-align: right;">430</p> <p>1 guesswork about what you've decided is the 03:49:18</p> <p>2 transfer account. I want to know if there's 03:49:21</p> <p>3 any evidence that whatever account you're going 03:49:22</p> <p>4 to tell me is the transfer account is actually 03:49:26</p> <p>5 the transfer account. 03:49:29</p> <p>6 MS. McKEEN: Objection, 03:49:30</p> <p>7 argumentative. 03:49:31</p> <p>8 THE WITNESS: I can't tell you a 03:49:41</p> <p>9 specific document that I've personally reviewed 03:49:42</p> <p>10 but that through our team's process and work, 03:49:44</p> <p>11 I'm confident that I can identify the transfer 03:49:47</p> <p>12 account in the Flow of Funds. 03:49:50</p> <p>13 BY MS. MILLER: 03:49:51</p> <p>14 Q. Okay. So I've looked through the 03:49:52</p> <p>15 documents that you've produced, and I can tell 03:49:53</p> <p>16 you that there is not a single document that 03:49:55</p> <p>17 identifies any account on your Flow of Funds as 03:49:57</p> <p>18 the transfer account. 03:50:01</p> <p>19 Do you have any reason to believe 03:50:04</p> <p>20 that that is not in fact the case? 03:50:06</p> <p>21 MS. McKEEN: Objection. 03:50:13</p> <p>22 BY MS. MILLER: 03:50:13</p> <p>23 Q. So, actually, now I am asking you 03:50:14</p> <p>24 about what I know. 03:50:16</p> <p>25 So I'm going to make the 03:50:17</p>	<p style="text-align: right;">432</p> <p>1 MS. MILLER: Okay. I'm going to 03:51:21</p> <p>2 move to strike as nonresponsive. 03:51:23</p> <p>3 BY MS. MILLER: 03:51:23</p> <p>4 Q. Has anyone on your team told you 03:51:26</p> <p>5 that they have seen a document that identifies 03:51:29</p> <p>6 a bank account as the transfer account? 03:51:35</p> <p>7 A. I don't recall a specific 03:51:41</p> <p>8 conversation where somebody specifically 03:51:42</p> <p>9 referenced a bank account as the reason that 03:51:44</p> <p>10 they knew that that was the transfer account. 03:51:45</p> <p>11 Q. When you say "a bank account," do 03:51:50</p> <p>12 you mean a document? 03:51:52</p> <p>13 A. I meant bank statement. Thank 03:51:57</p> <p>14 you. 03:51:59</p> <p>15 Q. Do you expect that if there was 03:51:59</p> <p>16 such a document, it would have been produced? 03:52:01</p> <p>17 A. I can't speculate one way or the 03:52:05</p> <p>18 other. 03:52:10</p> <p>19 MS. MILLER: Okay. Well, I'm 03:52:10</p> <p>20 going to call for the production of any such 03:52:11</p> <p>21 documents that the Commonwealth intends to rely 03:52:12</p> <p>22 on as evidence that the account that you're 03:52:15</p> <p>23 going to tell me is the transfer account is in 03:52:18</p> <p>24 fact the transfer account. 03:52:21</p> <p>25</p>
<p style="text-align: right;">431</p> <p>1 representation that I've reviewed it, and there 03:50:18</p> <p>2 are no documents that were produced that 03:50:19</p> <p>3 identify any account as the transfer account. 03:50:22</p> <p>4 So my question to you is: 03:50:25</p> <p>5 Do you believe that there is a 03:50:29</p> <p>6 document to the contrary that specifically 03:50:30</p> <p>7 identifies a bank account as the transfer 03:50:32</p> <p>8 account? 03:50:35</p> <p>9 MS. McKEEN: Objection. 03:50:36</p> <p>10 BY MS. MILLER: 03:50:36</p> <p>11 Q. Not that you can think of off the 03:50:38</p> <p>12 top of your head, not that you've personally 03:50:41</p> <p>13 seen that exists in the universe. 03:50:42</p> <p>14 As the corporate representative of 03:50:45</p> <p>15 the Tourism Company and of the Commonwealth, is 03:50:48</p> <p>16 there a document that exists that identifies a 03:50:51</p> <p>17 specific bank account as the transfer account? 03:50:54</p> <p>18 MS. McKEEN: Objection. 03:50:58</p> <p>19 THE WITNESS: I have not seen an 03:51:03</p> <p>20 individual document that identifies the account 03:51:05</p> <p>21 as the transfer account, but did enough work in 03:51:07</p> <p>22 collaboration with the team to satisfy myself 03:51:10</p> <p>23 that I can accurately identify a transfer 03:51:13</p> <p>24 account, bank account on the Flow of Funds 03:51:17</p> <p>25 presentation. 03:51:19</p>	<p style="text-align: right;">433</p> <p>1 BY MS. MILLER: 03:52:21</p> <p>2 Q. Okay. Looking at Section 4, which 03:52:22</p> <p>3 is on the next page of Monolines Exhibit 30, 03:52:24</p> <p>4 this document provides what it seems like you 03:52:32</p> <p>5 already know, which is that: 03:52:37</p> <p>6 All hotel occupancy tax funds 03:52:37</p> <p>7 received by the Tourism Company shall be 03:52:41</p> <p>8 deposited into the transfer account until (i) 03:52:42</p> <p>9 1/10 of the required payment has been met and 03:52:44</p> <p>10 (ii) any deficiencies in prior payment periods 03:52:48</p> <p>11 have been met, but in aggregate such amounts 03:52:52</p> <p>12 shall not exceed the total amount of Required 03:52:54</p> <p>13 Payment needed in any Fiscal Year. 03:52:56</p> <p>14 Thereafter, and only when the 03:52:59</p> <p>15 Transfer Account contains all moneys necessary 03:53:01</p> <p>16 to pay the Bonds in accordance with the GDB 03:53:03</p> <p>17 Certificate, the Tourism Company shall deposit 03:53:07</p> <p>18 any excess funds into the surplus account. 03:53:09</p> <p>19 Do you see that? 03:53:11</p> <p>20 A. Yes. 03:53:14</p> <p>21 Q. All right. So you have an 03:53:14</p> <p>22 understanding that under this agreement, 03:53:17</p> <p>23 moneys -- the only moneys that are supposed to 03:53:21</p> <p>24 flow into the transfer account are those that 03:53:22</p> <p>25 are pledged to the bondholder, correct? 03:53:29</p>

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1	MS. McKEEN: Objection.	03:53:33	1	And then it keeps going.	03:56:31
2	THE WITNESS: I think you	03:53:52	2	So you can take a look at that and	03:56:33
3	paraphrased this paragraph, and I'm not	03:53:54	3	then tell me if you have an understanding of	03:56:35
4	positive whether I agree or disagree with that	03:53:56	4	what required payments are.	03:56:36
5	paraphrasing.	03:53:59	5	A. Yeah, I have an understanding of	03:56:47
6	BY MS. MILLER:	03:53:59	6	what required payments are as they're defined	03:56:48
7	Q. Okay. Well, I'll let you	03:54:00	7	within this document.	03:56:50
8	paraphrase it.	03:54:03	8	Q. Okay. And so you have an	03:56:51
9	What's your understanding, based	03:54:04	9	understanding that only the -- on a monthly	03:56:55
10	on the paragraph we just looked at, of what	03:54:05	10	basis only 1/10 of the required payments are	03:56:58
11	moneys are supposed to flow into the transfer	03:54:07	11	supposed to be put into the transfer account	03:57:03
12	account?	03:54:09	12	plus any deficiency, and thereafter any excess	03:57:06
13	MS. McKEEN: Objection.	03:54:10	13	moneys are supposed to flow to the surplus	03:57:10
14	THE WITNESS: I'm happy to reread	03:54:15	14	account, correct?	03:57:12
15	the paragraph and sentences that you just read.	03:54:17	15	UNIDENTIFIED SPEAKER: Objection.	03:57:17
16	BY MS. MILLER:	03:54:17	16	THE WITNESS: That's what this	03:57:18
17	Q. Yeah. Take as long as you need.	03:54:25	17	agreement says.	03:57:19
18	A. Okay. Thank you.	03:54:36	18	BY MS. MILLER:	03:57:19
19	Would you now repeat your	03:54:40	19	Q. Did you ever have any discussions	03:57:25
20	question, please?	03:54:41	20	with anybody either at the Tourism Company or	03:57:26
21	MS. MILLER: Could the court	03:55:11	21	Treasury about how the moneys are supposed to	03:57:28
22	reporter read it back, please?	03:55:15	22	flow under this agreement?	03:57:31
23	(Record read as requested.)	03:55:18	23	A. I mean, we certainly talked to the	03:57:45
24	THE WITNESS: The document says	03:55:18	24	Tourism Company about Flow of Funds.	03:57:47
25	that:	03:55:20	25	Q. My question was specifically to	03:57:59

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1	All Hotel Occupancy Tax Funds	03:55:20	1	how the moneys were supposed to flow under this	03:58:01
2	shall be deposited into the transfer account	03:55:20	2	agreement, specifically as between the transfer	03:58:04
3	until 1/10 of the required payments are met.	03:55:24	3	account and the surplus account.	03:58:07
4	BY MS. MILLER:	03:55:28	4	A. My focus was on documenting the	03:58:16
5	Q. And any deficiencies, correct?	03:55:28	5	actual Flow of Funds and how it actually	03:58:19
6	A. Correct, that's what the document	03:55:30	6	happened.	03:58:22
7	says.	03:55:32	7	Q. And is this how the moneys	03:58:24
8	Q. Okay. And do you have an	03:55:36	8	actually flowed?	03:58:28
9	understanding of what required payments are?	03:55:37	9	UNIDENTIFIED SPEAKER: Objection.	03:58:35
10	A. I have an understanding generally	03:55:44	10	THE WITNESS: I have not done the	03:58:37
11	of the term "required payments."	03:55:46	11	exercise to cross-reference every adjusted flow	03:58:42
12	Q. Okay. What's your understanding?	03:55:47	12	from this document to the actual fund.	03:58:46
13	A. I understand the term "required	03:55:50	13	BY MS. MILLER:	03:58:48
14	payments" to mean payments that are required.	03:55:52	14	Q. Mr. Ahlberg, that's not what I'm	03:58:48
15	Q. Okay. So let's go back one page	03:55:57	15	asking.	03:58:50
16	to Section 3, which defines the term "required	03:55:59	16	You've spent many weeks putting	03:58:50
17	payment" as:	03:56:03	17	together Flow of Funds documents, and I'm	03:58:52
18	The amount necessary for the	03:56:13	18	asking you whether for the CCDA Flow of Funds	03:58:55
19	Authority to make, during the upcoming fiscal	03:56:15	19	at any point in time the money flowed such that	03:58:59
20	year and the first day of the second succeeding	03:56:18	20	the required payment -- 1/10 of the required	03:59:04
21	fiscal -- succeeding fiscal year, (a), payments	03:56:21	21	payment went into the transfer account on a	03:59:08
22	equal to the amount necessary for the full and	03:56:21	22	monthly basis, any deficiency, and the	03:59:11
23	timely payment or amortization of the principal	03:56:24	23	remainder went into the surplus account.	03:59:13
24	and interest on the bonds due on July 1 and	03:56:27	24	You told me that you're confident	03:59:24
25	January 1.	03:56:31	25	you can tell me which is the transfer account	03:59:27

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1	and which is the surplus account. So now I'm	03:59:29	1	Q. Yeah, we are pulling it up, but	04:01:37
2	asking you did the money ever flow consistent	03:59:31	2	I'm just asking you generally, while it's	04:01:39
3	with the flow that we just looked at in	03:59:34	3	happening, whether you've ever seen the pledge	04:01:42
4	Monolines Exhibit 30?	03:59:35	4	agreement related to this before.	04:01:46
5	UNIDENTIFIED SPEAKER: Same	03:59:39	5	A. I don't recall specifically	04:01:48
6	objection.	03:59:40	6	looking at this agreement previously.	04:01:48
7	THE WITNESS: I can't say whether	03:59:42	7	Q. Okay. Are you familiar with any	04:01:55
8	or not the Flow of Funds is consistent with how	03:59:43	8	accounts that are referred to in the Tourism	04:01:56
9	the suggested Flow of Funds should be. I can	03:59:46	9	Company flow as the pledge account?	04:01:59
10	say that the Flow of Funds' presentation	03:59:48	10	A. Yes.	04:02:01
11	document, the Flow of Funds they haven't.	03:59:50	11	Q. Okay. What's your understanding	04:02:03
12	BY MS. MILLER:	03:59:50	12	of what the pledge account is?	04:02:04
13	Q. Okay. And how did, based on your	03:59:53	13	A. In the Flow of Funds, the pledge	04:02:10
14	recollection, and we'll look at them shortly,	03:59:57	14	account is the account that receives an	04:02:13
15	what was the first step of the flow after being	04:00:01	15	approximately \$3 million transfer every month.	04:02:16
16	received by the Commonwealth?	04:00:05	16	During the certain period it is -- it is	04:02:20
17	MS. McKEEN: Objection, vague as	04:00:08	17	ultimately passed on.	04:02:23
18	to time.	04:00:09	18	Q. Okay. Okay. And I just want to	04:02:27
19	BY MS. MILLER:	04:00:09	19	look at -- okay.	04:02:41
20	Q. At any time.	04:00:13	20	And I just want to look at	04:03:33
21	MS. McKEEN: Specify a time you'd	04:00:15	21	Section 3(b) of the account -- of the pledge	04:03:35
22	like. Objection.	04:00:20	22	agreement, so Section 3, which you went one	04:03:39
23	THE WITNESS: I think you	04:00:24	23	page too far, if you could go back. Thank you.	04:03:50
24	characterized flows to the Commonwealth when I	04:00:25	24	Section 3 provides that:	04:03:54
25	think of hotel occupancy taxes flowing to the	04:00:31	25	The GDB hereby agrees that, so	04:03:55
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1	Tourism Company.	04:00:34	1	long as there are any Bonds Outstanding under	04:03:57
2	BY MS. MILLER:	04:00:34	2	the Trust Agreement, to deposit or cause to be	04:04:00
3	Q. Right. And that's a good point.	04:00:36	3	deposited into the Pledge Account, all Hotel	04:04:03
4	The hotel occupancy taxes never	04:00:38	4	Occupancy Taxes received from the Tourism	04:04:06
5	actually flowed to the Commonwealth other than	04:00:40	5	Company as received but in no event...than	04:04:08
6	during that clawback period where the	04:00:42	6	12:00 noon, New York time, on the next Business	04:04:12
7	Commonwealth takes them back, right?	04:00:45	7	Day immediately following the Business Day on	04:04:13
8	A. Without having the Flow of Funds	04:00:50	8	which such Hotel Occupancy Tax Funds are	04:04:15
9	presentation in front of me, I believe that's	04:00:52	9	received by GDB," right?	04:04:17
10	correct.	04:01:01	10	And then (b) says:	04:04:19
11	MS. MILLER: Okay. I'd like to	04:01:01	11	Amounts deposited in the Pledge	04:04:21
12	mark tab, document 102, as the next exhibit,	04:01:03	12	Account are to be held by GDB to provide for	04:04:23
13	please.	04:01:11	13	the following receipts (in order of priority).	04:04:26
14	And Exhibit 31, Monolines	04:01:11	14	Do you see that?	04:04:29
15	Exhibit 31 is going to be the Pledge Assignment	04:01:15	15	MS. McKEEN: Objection. It	04:04:29
16	Agreement by and among the Puerto Rico	04:01:19	16	doesn't say "receipt." It says "deposit."	04:04:30
17	Convention Center District Authority, the	04:01:20	17	MS. MILLER: Oh, sorry. Thank	04:04:32
18	Government Development Bank and JPMorgan Chase.	04:01:20	18	you, but let me correct that.	04:04:34
19	(Monolines Exhibit 31 is	04:01:20	19	BY MS. MILLER:	04:04:34
20	introduced for the record.)	04:01:29	20	Q. 3(b) says:	04:04:37
21	BY MS. MILLER:	04:01:29	21	Amounts deposited in the Pledge	04:04:38
22	Q. Is this the document or have you	04:01:30	22	Account are to be held by GDB to provide for	04:04:40
23	seen such an assignment agreement before?	04:01:31	23	the following deposits (in order of priority).	04:04:43
24	A. Are you pulling the document up	04:01:34	24	Do you see that?	04:04:45
25	right now?	04:01:36	25	A. Yes, I see that.	04:04:46

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1	Q. Okay. And subsection 1 says:	04:04:47	1	BY MS. MILLER:	04:07:16
2	GDB will make payments to the	04:04:51	2	Q. Okay. All I want. Okay. Okay.	04:07:18
3	Commonwealth of Puerto Rico as set forth in	04:04:53	3	And then do you understand that	04:07:38
4	Section 2(b) above when required in accordance	04:04:54	4	under Section 3(b)(2) moneys get transferred to	04:07:39
5	with Section 8 of Article VI of the	04:04:57	5	the trustee, correct?	04:07:44
6	Constitution of the Commonwealth of	04:05:02	6	MS. McKEEN: Objection. Are you	04:07:49
7	Puerto Rico.	04:05:03	7	asking --	04:07:49
8	Do you see that?	04:05:05	8	(Simultaneous speaking.)	04:07:52
9	A. Yes, I see that.	04:05:05	9	BY MS. MILLER:	04:07:52
10	Q. Okay. And is it your	04:05:08	10	Q. Are to be transferred to the	04:07:53
11	understanding that that is supposed to be a --	04:05:10	11	trustee?	04:07:55
12	sorry.	04:05:20	12	MS. McKEEN: Objection.	04:07:55
13	Do you have an understanding of	04:05:20	13	THE WITNESS: Would you please	04:08:00
14	what account that it's supposed to be	04:05:21	14	repeat the question?	04:08:01
15	transferred from?	04:05:25	15	BY MS. MILLER:	04:08:01
16	MS. McKEEN: Objection.	04:05:31	16	Q. Yeah. Do you have an	04:08:03
17	THE WITNESS: It's not clear to me	04:05:44	17	understanding that under Section 3(b)(2) the	04:08:04
18	from the document section that we read.	04:05:46	18	GDB is then supposed to transfer the moneys	04:08:11
19	BY MS. MILLER:	04:05:50	19	from the pledge account to the trust account,	04:08:15
20	Q. Okay. Okay. And then number 2 is	04:05:50	20	right?	04:08:18
21	that the:	04:05:50	21	MS. McKEEN: Objection.	04:08:19
22	GDB shall on each calendar month	04:05:59	22	THE WITNESS: That is what	04:08:23
23	no later than 12:00 noon, on the third Business	04:06:01	23	Section 3(b)(2) says.	04:08:25
24	Day immediately following the Business Day on	04:06:06	24	BY MS. MILLER:	04:08:25
25	which the Hotel Occupancy Tax Funds are	04:06:06	25	Q. Okay. And do you know who the	04:08:30
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1	received by it, transfer or caused to be	04:06:09	1	trustee is on the Fund?	04:08:34
2	transferred to the Trustee all Hotel Occupancy	04:06:12	2	A. I can't recall off the top of my	04:08:41
3	Tax Funds then deposited to the pledge account.	04:06:16	3	head.	04:08:44
4	Do you see that?	04:06:18	4	MS. MILLER: I'd like to look at	04:08:55
5	A. I see that.	04:06:18	5	the CCDA Flow of Funds.	04:08:59
6	Q. Okay. So you said it wasn't clear	04:06:22	6	So, Karen, if you could pull up	04:09:00
7	to you when I asked you where the transfer to	04:06:24	7	tab 2135 as Exhibit 32.	04:09:03
8	the Commonwealth with respect to what was	04:06:30	8	(Monolines Exhibit 32 is	04:09:03
9	colloquially referred to as "the clawback" were	04:06:33	9	introduced for the record.)	04:09:03
10	made from, but if you look at Section 3(b), it	04:06:36	10	BY MS. MILLER:	04:09:03
11	specifically says:	04:06:39	11	Q. Mr. Ahlberg, have you ever seen	04:09:22
12	Amounts deposited in the Pledge	04:06:40	12	any internal documents that specifically map	04:09:24
13	Account are to be held by the GDB pro-	04:06:42	13	the various funds and accounts that we have	04:09:26
14	-- sorry -- are to be held by GDB to provide	04:06:46	14	seen in the bond documents, the actual bank	04:09:28
15	for the following deposits (in order of	04:06:49	15	account?	04:09:37
16	priority).	04:06:51	16	A. I've not seen -- I personally have	04:09:37
17	So does that tell you that the	04:06:52	17	not seen a file like that.	04:09:43
18	transfer of the money from the GDB to the	04:06:53	18	Q. Do you believe any such file	04:09:45
19	Commonwealth on account of any, quote,	04:06:56	19	exists?	04:09:48
20	"clawback" is supposed to come from the pledge	04:07:00	20	A. I can't recall off the top of my	04:09:52
21	account?	04:07:02	21	head if that exercise was done.	04:09:56
22	MS. McKEEN: Objection.	04:07:05	22	Q. Did you ask anybody in the course	04:09:58
23	THE WITNESS: I do understand that	04:07:13	23	of preparing for the Flow of Funds or for this	04:10:01
24	that's what this document says.	04:07:16	24	deposition whether or not such a document	04:10:04
25			25	existed?	04:10:12

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<p style="text-align: right;">446</p> <p>1 A. I may have. I just can't recall 04:10:14 2 right now. 04:10:17 3 Q. But you know you've never seen 04:10:23 4 one? 04:10:25 5 A. I know that I've first cited 04:10:25 6 docs in that document. 04:10:28 7 Q. Do you know whether, based on 04:10:28 8 discussions with people on your team, anyone's 04:10:30 9 ever seen them? 04:10:32 10 A. I can't recall. It's certainly 04:10:36 11 something I could follow up on and get back to 04:10:39 12 you on. 04:10:44 13 Q. How many people did you have on 04:10:44 14 your team working on this? 04:10:46 15 A. Working on what specifically? 04:10:49 16 Q. Working on putting together the 04:10:51 17 Flow of Funds chart. 04:10:54 18 A. This Tourism Flow of Funds chart? 04:11:00 19 Q. No. All of the Tour- -- all of 04:11:03 20 the Flow of Funds charts, so the Tourism, the 04:11:04 21 rum taxes and the HTA. 04:11:07 22 A. Okay. I guess you asked who was 04:11:13 23 on the team that was doing that. I prepared 04:11:17 24 these Flow of Funds documents -- 04:11:19 25 Q. I think I asked you how many -- 04:11:22</p>	<p style="text-align: right;">448</p> <p>1 for how long? 04:12:33 2 A. Since August 2017. 04:12:37 3 Q. All right. And your work has been 04:12:41 4 principally focused on Puerto Rico and mostly 04:12:43 5 limited to cash flows; is that right? 04:12:48 6 A. That's correct, generally limited 04:12:54 7 to cash flow reporting, cash flow monitoring, 04:12:56 8 liquidity management. 04:13:06 9 Q. Okay. And I think you testified 04:13:06 10 yesterday that there are approximately five 04:13:07 11 people senior to you at Conway MacKenzie 04:13:09 12 involved generally in the Puerto Rico 04:13:11 13 engagement; is that right? 04:13:13 14 A. Yes, I think I gave a range 04:13:16 15 between four and six. 04:13:19 16 Q. Okay. And none of them were 04:13:21 17 involved in this project; is that right? 04:13:24 18 A. That's correct. 04:13:26 19 Q. Did you speak to any of them about 04:13:27 20 the work you were doing? 04:13:32 21 A. I wouldn't have spoken to anyone 04:13:35 22 on my team about the work we were doing. 04:13:37 23 Q. Are any of the more senior people 04:13:42 24 at Conway MacKenzie involved in the Puerto Rico 04:13:45 25 engagement CPAs? 04:13:47</p>
<p style="text-align: right;">447</p> <p>1 how many people did you have on your team. 04:11:23 2 A. Oh, how many people? 04:11:25 3 I can't recall specifically the 04:11:29 4 number of people on the team. I'm happy to 04:11:32 5 list as many individuals that I can think of 04:11:36 6 off the top of my head. 04:11:39 7 Q. Was there anybody senior to you 04:11:42 8 involved in this project? 04:11:43 9 A. It depends on how you define 04:11:52 10 "senior." 04:11:54 11 For example, I would consider the 04:11:54 12 subsecretary of Treasury of the Commonwealth of 04:11:56 13 Puerto Rico to be senior to me but not 04:11:59 14 necessarily a -- you know, she doesn't work at 04:12:01 15 Conway MacKenzie in a position directly above 04:12:05 16 me. 04:12:07 17 Q. So I would consider her to be in a 04:12:08 18 separate line entirely given that you're not 04:12:12 19 employed at the same place. So I mean within 04:12:14 20 Conway MacKenzie, is there anybody senior to 04:12:17 21 you involved in this? 04:12:20 22 A. Okay. Thank you for clarifying. 04:12:22 23 No. 04:12:26 24 Q. Okay. I think we covered 04:12:28 25 yesterday that you've been at Conway MacKenzie 04:12:29</p>	<p style="text-align: right;">449</p> <p>1 A. Excuse me for a moment. I do 04:13:54 2 recall that one member of Conway MacKenzie was 04:13:56 3 involved, and his name was Brett Howard. 04:13:58 4 Q. What was his involvement? 04:14:02 5 A. He specifically manages the cash 04:14:09 6 flow reporting for Tourism Company, and so I 04:14:12 7 consulted with him about the Flow of Funds 04:14:17 8 presentation in collaboration with Gustavo from 04:14:21 9 Tourism. In all cases, counsel would have been 04:14:25 10 present. 04:14:27 11 Q. And what is Mr. Howard's position 04:14:29 12 at Conway MacKenzie? 04:14:31 13 A. Currently he is a senior associate 04:14:34 14 at Conway MacKenzie. 04:14:38 15 Q. And is that senior to you? 04:14:40 16 A. That is not. 04:14:42 17 Q. Okay. Well, I think I was asking 04:14:43 18 about people senior to you. 04:14:46 19 A. Okay. I apologize. 04:14:50 20 Q. That's okay. So let me ask again. 04:14:51 21 Of the people who are more senior 04:14:55 22 than you at Conway MacKenzie who were involved 04:14:58 23 in the Puerto Rico engagement, are any of them 04:15:00 24 CPAs? 04:15:04 25 A. I think there are -- there's at 04:15:08</p>

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1	least -- there's at least one CPA on the Conway	04:15:13	1	occupancy taxes from the time that they're	04:18:04
2	MacKenzie team. There could be more.	04:15:16	2	collected by hoteliers?	04:18:08
3	Q. All right. And who's the	04:15:18	3	MS. McKEEN: Objection, vague.	04:18:19
4	one person who you can think of who's a CPA on	04:15:21	4	THE WITNESS: I don't know how to	04:18:26
5	the Conway MacKenzie team?	04:15:23	5	answer that question. Would you mind being	04:18:30
6	A. I believe that Rafael Di Napoli is	04:15:29	6	more specific, please?	04:18:33
7	a CPA.	04:15:36	7	BY MS. MILLER:	04:18:33
8	Q. Okay. And what is Mr. Di Napoli's	04:15:40	8	Q. Okay. Well, room tax revenues are	04:18:36
9	position at Conway MacKenzie?	04:15:43	9	collected at a point of contact with the	04:18:39
10	A. Currently he is a managing	04:15:47	10	customer, right? And then they're transferred	04:18:44
11	director.	04:15:53	11	to the Commonwealth; isn't that correct?	04:18:48
12	Q. Okay. And did you speak to	04:15:53	12	A. Correct.	04:18:50
13	Mr. Di Napoli about Funds as used in the	04:15:55	13	Q. Okay. So I want you to tell me	04:18:52
14	Commonwealth?	04:16:01	14	how a room tax revenue is collected and then	04:18:56
15	A. Would you repeat the question?	04:16:04	15	transferred to the Commonwealth.	04:19:03
16	Q. Yes. Did you speak to Mr. Di	04:16:07	16	MS. McKEEN: Objection, vague.	04:19:09
17	Napoli about how Funds are used within the	04:16:10	17	BY MS. MILLER:	04:19:09
18	Commonwealth in this account?	04:16:14	18	Q. You can take it off -- you're	04:19:11
19	UNIDENTIFIED SPEAKER: Objection.	04:16:16	19	welcome to leave the Flow of Funds on, but I'm	04:19:12
20	THE WITNESS: I did not	04:16:21	20	asking for the step that's not reflected in the	04:19:15
21	specifically discuss Funds with Mr. Di Napoli	04:16:21	21	Flow of Funds, right?	04:19:17
22	in preparation for this deposition.	04:16:24	22	The room tax revenues are actually	04:19:18
23	BY MS. MILLER:	04:16:28	23	collected by not a Commonwealth agent, right?	04:19:23
24	Q. Did you speak to him about other	04:16:28	24	Is that consistent with your understanding,	04:19:26
25	things in preparation for this deposition?	04:16:32	25	Mr. Ahlberg?	04:19:28
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1	A. Not specifically, but I can't say	04:16:36	1	Well, let me just ask:	04:19:29
2	unequivocally that we may never have ever	04:16:38	2	Mr. Ahlberg, who collects room tax	04:19:31
3	discussed Fund types together.	04:16:44	3	revenue -- who collects room taxes?	04:19:34
4	Q. Did you speak to Mr. Di Napoli	04:16:45	4	A. Hoteliers.	04:19:36
5	about the significance of Funds or other	04:16:48	5	Q. Okay. So you would agree with me	04:19:38
6	accounting designations in tracing money	04:16:50	6	that hoteliers collect room tax revenues,	04:19:40
7	through various Commonwealth accounts?	04:16:52	7	correct?	04:19:46
8	A. No.	04:16:57	8	A. Correct.	04:19:46
9	Q. Did you speak to anyone else	04:17:00	9	Q. And then the hoteliers then	04:19:47
10	senior to you at Conway MacKenzie about that?	04:17:01	10	transfer them to the Commonwealth, correct --	04:19:49
11	A. In preparation for this	04:17:06	11	oh, sorry, sorry.	04:19:53
12	deposition? No.	04:17:07	12	A. The Tourism Company.	04:19:54
13	Q. Okay. Okay. So we have marked as	04:17:10	13	Q. Yes. Thank you. Sorry. Let me	04:19:55
14	Exhibit 32 a document that is in front of you,	04:17:15	14	restate my question.	04:19:58
15	which is the Puerto Rico Tourism Company Room	04:17:21	15	Room tax revenues are collected by	04:19:58
16	Taxes Flow of Funds. Do you see that?	04:17:25	16	hoteliers, right?	04:20:02
17	A. Yes.	04:17:28	17	A. Correct.	04:20:04
18	Q. Okay. Do you recognize this	04:17:31	18	Q. And the hoteliers then transfer	04:20:06
19	document?	04:17:35	19	them to the Tourism Company, correct?	04:20:11
20	A. Yes.	04:17:35	20	A. Correct.	04:20:12
21	Q. Okay. And you prepared this,	04:17:36	21	Q. And how do they transfer them to	04:20:13
22	right?	04:17:38	22	the Tourism Company?	04:20:16
23	A. I did.	04:17:40	23	A. I think it depends on which	04:20:26
24	Q. Can you describe generally the	04:17:41	24	hotelier and their, you know, agreed-upon	04:20:29
25	Flow of Funds -- sorry, the flow of hotel	04:18:00	25	schedule to transfer hotel revenue taxes.	04:20:34

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<p style="text-align: right;">454</p> <p>1 Q. Okay. Do you have an 04:20:42</p> <p>2 understanding of the various ways in which 04:20:45</p> <p>3 hoteliers can transfer the money to the Tourism 04:20:49</p> <p>4 Company? 04:20:56</p> <p>5 A. I'm not positive of the ways that 04:20:56</p> <p>6 the hoteliers designate their transfers to the 04:20:57</p> <p>7 Tourism Company. 04:21:04</p> <p>8 Q. Okay. Do you know whether they 04:21:05</p> <p>9 can wire the money? 04:21:07</p> <p>10 A. I believe they can send 04:21:08</p> <p>11 electronic -- electronic payments. 04:21:11</p> <p>12 Q. Do you know whether they can make 04:21:14</p> <p>13 deposits at Scotiabank ATM machines in 04:21:16</p> <p>14 Puerto Rico? 04:21:25</p> <p>15 A. I'm not positive whether they can 04:21:26</p> <p>16 make ATM deposits or not. 04:21:28</p> <p>17 Q. Do you know whether they can 04:21:30</p> <p>18 transfer the money by check? 04:21:31</p> <p>19 A. I believe that they can transfer 04:21:37</p> <p>20 the money by check -- 04:21:39</p> <p>21 Q. Okay. And regardless -- 04:21:40</p> <p>22 A. -- depending (indiscernible). 04:21:40</p> <p>23 Q. All right. 04:21:40</p> <p>24 And regardless of the means used 04:21:47</p> <p>25 by the hotelier to transfer the room tax 04:21:48</p>	<p style="text-align: right;">456</p> <p>1 November 2015? 04:23:24</p> <p>2 A. No. 04:23:26</p> <p>3 Q. Okay. So the GDB 9758 account has 04:23:28</p> <p>4 exactly the same revenues that were transferred 04:23:33</p> <p>5 into the Scotiabank 5142 account, correct? 04:23:36</p> <p>6 A. I believe the amount, the total 04:23:46</p> <p>7 amount transferred into 5142 would be equal to 04:23:48</p> <p>8 the total amount transferred into 9758 during 04:23:52</p> <p>9 this time period. 04:23:55</p> <p>10 Q. Is that the long way of saying 04:23:59</p> <p>11 yes, that the GDB 9758 account has exactly the 04:24:01</p> <p>12 same revenues that were transferred into the 04:24:04</p> <p>13 Scotiabank 5142 account by the hoteliers? 04:24:09</p> <p>14 A. It's -- I mean, the transfers for 04:24:16</p> <p>15 the -- the transfers will total the exact 04:24:19</p> <p>16 amount. It will be -- the total transfers into 04:24:23</p> <p>17 5142 will equal the total transfers into 9758. 04:24:28</p> <p>18 Q. So all the same moneys that are 04:24:32</p> <p>19 going into 5142 are going into 9758, correct? 04:24:34</p> <p>20 A. During the time period, that's 04:24:40</p> <p>21 correct. 04:24:42</p> <p>22 Q. Okay. And then what moneys are 04:24:42</p> <p>23 going from 9758 to 5144? 04:24:45</p> <p>24 A. Amounts that would be in excess of 04:24:51</p> <p>25 the approximately \$3 million per month that was 04:24:55</p>
<p style="text-align: right;">455</p> <p>1 revenues that it collected, all of those 04:21:52</p> <p>2 revenues are transferred to the Tourism Company 04:21:55</p> <p>3 into the Scotiabank 5142 account, correct? 04:22:00</p> <p>4 A. Correct. 04:22:04</p> <p>5 Q. Okay. And that was true for the 04:22:04</p> <p>6 entire period that you looked at from 04:22:07</p> <p>7 January 2015 through the present, correct? 04:22:10</p> <p>8 A. That's correct. 04:22:25</p> <p>9 Q. Okay. So from January 2015 to the 04:22:25</p> <p>10 present, all hotel room tax revenues collected 04:22:28</p> <p>11 by hoteliers are transferred to the Tourism 04:22:32</p> <p>12 Company through the Scotiabank 5142 account, 04:22:35</p> <p>13 correct? 04:22:43</p> <p>14 A. Correct. 04:22:43</p> <p>15 Q. Okay. And then looking at Flow of 04:22:44</p> <p>16 Funds for January 2015 to November 2015 -- it's 04:22:49</p> <p>17 up on the board or up on your screen -- the 04:22:53</p> <p>18 Flow of Funds indicates that those revenues are 04:23:02</p> <p>19 then transferred to the GDB 9758 account. Do 04:23:05</p> <p>20 you see that? 04:23:12</p> <p>21 A. Yes. 04:23:12</p> <p>22 Q. Okay. Are there any moneys 04:23:13</p> <p>23 deposited in the Scotiabank 5142 account that 04:23:14</p> <p>24 are not transferred into the GDB 9758 account 04:23:19</p> <p>25 during this period, January 2015 through 04:23:22</p>	<p style="text-align: right;">457</p> <p>1 sent to the 9947 pledge account. 04:24:56</p> <p>2 Q. Okay. And is the 9947 account the 04:25:07</p> <p>3 pledge account as you understand it? 04:25:16</p> <p>4 A. Yes. 04:25:17</p> <p>5 Q. Okay. Or as you've referred to 04:25:18</p> <p>6 it. 04:25:26</p> <p>7 And the 5144 account is designated 04:25:26</p> <p>8 as a comingled account, do you see that? 04:25:46</p> <p>9 A. Yes, I see that. 04:25:49</p> <p>10 Q. What other moneys are deposited 04:25:50</p> <p>11 into the 5144 account? 04:25:52</p> <p>12 A. An example I can think of off the 04:25:55</p> <p>13 top of my head would be slot machine proceeds. 04:25:58</p> <p>14 Q. Okay. Are any other moneys 04:26:11</p> <p>15 deposited into the 9947 account? 04:26:13</p> <p>16 MS. McKEEN: Are you meaning the 04:26:25</p> <p>17 moneys into the -- I just want to be clear. 04:26:30</p> <p>18 MS. MILLER: Yeah. Now I'm asking 04:26:31</p> <p>19 about the 9947 account. 04:26:32</p> <p>20 THE WITNESS: Would you please 04:26:39</p> <p>21 repeat the question? 04:26:40</p> <p>22 BY MS. MILLER: 04:26:40</p> <p>23 Q. Yeah. Are any -- are any moneys 04:26:41</p> <p>24 other than the moneys transferred from the 9758 04:26:44</p> <p>25 account deposited into the 9947 account? 04:26:47</p>

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1	A. Not during this time period that	04:26:53	1	couple of questions, and then we can take a	04:29:35
2	we're looking at.	04:26:56	2	break.	04:29:37
3	Q. Okay. And then moneys from -- I'm	04:26:56	3	BY MS. MILLER:	04:29:37
4	going back to the 5144 account. Moneys from	04:27:01	4	Q. Mr. Ahlberg, is it your testimony	04:29:38
5	the 5144 account, hotel occupancy tax revenues	04:27:04	5	that you don't know if hotels' occupancy taxes	04:29:39
6	in excess of the 3 million per month deposited	04:27:08	6	in fact flowed from 5144 to 5138 and that the	04:29:45
7	into the 5144 account are then indicated as	04:27:11	7	5138 account is included in the Flow of Funds	04:29:49
8	flowing to the 5138 account. Do you see that?	04:27:15	8	just as an example of an account that moneys	04:29:52
9	A. Yes.	04:27:18	9	may have or may not have flowed into from the	04:29:55
10	Q. And are all moneys during this	04:27:19	10	5144 account?	04:29:58
11	time period deposited in the 5144 account also	04:27:23	11	MS. McKEEN: Objection, misstates	04:30:01
12	transferred to the 5138 account?	04:27:27	12	testimony.	04:30:02
13	A. No.	04:27:31	13	MS. MILLER: My question is, is it	04:30:05
14	Q. Okay. So how do you know that it	04:27:32	14	his testimony. So your witness can tell me	04:30:06
15	is the hotel occupancy taxes that are moving	04:27:34	15	that it wasn't his testimony.	04:30:09
16	from the 5144 account to the 5138 account?	04:27:36	16	MS. McKEEN: Objection.	04:30:12
17	A. You don't, because at the point of	04:28:03	17	THE WITNESS: That was not my	04:30:12
18	transfer to 5144, those funds are comingled	04:28:06	18	testimony.	04:30:13
19	with other funds.	04:28:11	19	BY MS. MILLER:	04:30:13
20	Q. Did you say "I don't" -- well,	04:28:12	20	Q. Okay. So, Mr. Ahlberg, do you	04:30:18
21	then why is 5138 included in this Flow of	04:28:15	21	know that hotel occupancy taxes flowed from the	04:30:19
22	Funds?	04:28:24	22	5144 account to the 5138 account?	04:30:24
23	A. Because funds are	04:28:24	23	A. Due to the comingled nature of	04:30:32
24	indistinguishable once they are transferred	04:28:27	24	funds within 5144, it's impossible to	04:30:34
25	into Account 5144, it is shown for exemplary	04:28:30	25	say -- it's impossible to say one or the other,	04:30:40
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1	purposes that there still are outposts from	04:28:37	1	which is why both are indicated with a	04:30:43
2	5144 used to fund operating disbursements and	04:28:40	2	comingled star.	04:30:46
3	transfers to that Account 5138, which is a zero	04:28:45	3	Q. But you could have known that	04:30:47
4	balance operating disbursement account.	04:28:52	4	money from one comingled account to another	04:30:49
5	Q. Are you sure?	04:28:54	5	comingled account would have come from hotel	04:30:51
6	A. Am I sure of what?	04:28:55	6	occupancy taxes based on sources identifying	04:30:55
7	Q. Are you -- so you just decided to	04:28:57	7	the revenue source, couldn't you?	04:30:58
8	give me some example of some bank account that	04:28:59	8	A. Could you repeat that question,	04:31:06
9	moneys from 5144 flow to that may or may not be	04:29:02	9	please?	04:31:07
10	the hotel occupancy taxes that we're talking	04:29:08	10	Q. Yeah, well, let me just ask it	04:31:08
11	about?	04:29:10	11	this way:	04:31:11
12	A. Sorry.	04:29:11	12	Previously, when we saw comingled	04:31:12
13	MS. McKEEN: Objection, misstates	04:29:11	13	account moneys being deposited in comingled	04:31:14
14	testimony, argumentative.	04:29:13	14	accounts flowing out, you indicated that you	04:31:17
15	Atara, do you need to take a	04:29:15	15	were able to identify that the moneys were part	04:31:25
16	break?	04:29:16	16	of the bucket of funds that you were tracing in	04:31:29
17	MS. MILLER: No, I don't need to	04:29:17	17	the Flow of Funds based on notations in outflow	04:31:34
18	take a break. I definitely don't need a break.	04:29:19	18	documents, whether it was vouchers or	04:31:38
19	I just need an answer to my question.	04:29:22	19	transmittal letters or the like.	04:31:43
20	(Simultaneous speaking.)	04:29:24	20	Do you recall that?	04:31:44
21	MS. McKEEN: I'd like you to take	04:29:27	21	A. Yes.	04:31:51
22	a break. I would like a break. Thank you.	04:29:28	22	Q. Okay. Is that different here?	04:31:51
23	MS. MILLER: All right. I'm	04:29:30	23	A. I don't think revenue source	04:32:11
24	not -- I'm not ready to take a break right now,	04:29:31	24	is -- I don't think revenue source is	04:32:16
25	so I'm going to get an answer to the next	04:29:33	25	considered for disbursements from 5144 to 5138.	04:32:17

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<p style="text-align: right;">462</p> <p>1 Q. Okay. I'm going to move on, 04:32:30</p> <p>2 because, frankly, those aren't our moneys and 04:32:33</p> <p>3 we know that. So I'm just going to move on, 04:32:37</p> <p>4 but I'm not sure how that's consistent with how 04:32:40</p> <p>5 you explain to put the charts together, so I 04:32:43</p> <p>6 might come back to it just so I can understand 04:32:47</p> <p>7 better what you did in the other Flow of Funds. 04:32:50</p> <p>8 Can I ask you whether for all of 04:32:55</p> <p>9 the Flow of Funds charts that you prepared for 04:33:00</p> <p>10 HTA, PRIFA and CCDA if you were able to find 04:33:03</p> <p>11 evidence that the revenues being traced were 04:33:07</p> <p>12 transferred out of a particular account, if you 04:33:12</p> <p>13 noted that transfer on the Flow of Funds chart? 04:33:15</p> <p>14 UNIDENTIFIED SPEAKER: Objection. 04:33:23</p> <p>15 THE WITNESS: Could you repeat 04:33:25</p> <p>16 that question? 04:33:26</p> <p>17 BY MS. MILLER: 04:33:26</p> <p>18 Q. Yeah. In putting together these 04:33:29</p> <p>19 Flow of Funds charts, if you were able to 04:33:31</p> <p>20 identify an outflow that corresponded to the 04:33:34</p> <p>21 Fund that you were tracing, did you include 04:33:38</p> <p>22 that outflow on the Flow of Funds chart? 04:33:41</p> <p>23 UNIDENTIFIED SPEAKER: Objection. 04:33:48</p> <p>24 THE WITNESS: Each Flow of Funds 04:33:55</p> <p>25 chart is unique. It's hard for me to answer in 04:33:56</p>	<p style="text-align: right;">464</p> <p>1 tax pledge account? 04:56:55</p> <p>2 A. I believe that there is 04:56:58</p> <p>3 justification for why there's an account that 04:57:02</p> <p>4 is called the pledge account, but I just can't 04:57:05</p> <p>5 recall off the top of my head the specific 04:57:08</p> <p>6 document that we used to make that 04:57:10</p> <p>7 determination. 04:57:12</p> <p>8 Q. But you believe there is a 04:57:15</p> <p>9 document? 04:57:17</p> <p>10 MS. McKEEN: Objection -- 04:57:18</p> <p>11 THE WITNESS: Yeah, I believe that 04:57:20</p> <p>12 there's information out there. 04:57:21</p> <p>13 BY MS. MILLER: 04:57:23</p> <p>14 Q. What do you mean when you say 04:57:23</p> <p>15 "information out there"? 04:57:26</p> <p>16 A. Well, you characterized it as 04:57:29</p> <p>17 potentially one document, and I'm just not 04:57:31</p> <p>18 certain that there's one document or there may 04:57:34</p> <p>19 be a collection of documents that say that. 04:57:36</p> <p>20 MS. MILLER: Okay. I'd like to 04:57:39</p> <p>21 mark as the next exhibit tab 2128, please. 04:57:42</p> <p>22 (Monolines Exhibit 33 is 04:57:42</p> <p>23 introduced for the record.) 04:57:42</p> <p>24 BY MS. MILLER: 04:57:42</p> <p>25 Q. We have marked as Monolines 04:57:58</p>
<p style="text-align: right;">463</p> <p>1 terms of all the Flow of Funds charts together. 04:34:01</p> <p>2 MS. MILLER: Okay. Maybe let's 04:34:16</p> <p>3 take a break. I need to think about why they 04:34:17</p> <p>4 would be unique. Maybe I'll have an epiphany 04:34:20</p> <p>5 over the break. Okay. 04:34:25</p> <p>6 Do we want to take 5 minutes? 04:34:31</p> <p>7 MS. McKEEN: I think 10 minutes, a 04:34:32</p> <p>8 5-minute break we can't actually take a break. 04:34:36</p> <p>9 Thanks. 04:34:39</p> <p>10 MS. MILLER: Okay. 04:34:39</p> <p>11 THE VIDEOGRAPHER: We are off the 04:34:41</p> <p>12 record at 4:35 p.m. 04:34:41</p> <p>13 (Recess taken.) 04:34:44</p> <p>14 THE VIDEOGRAPHER: We are back on 04:56:04</p> <p>15 the record at 4:56 p.m. 04:56:12</p> <p>16 BY MS. MILLER: 04:56:12</p> <p>17 Q. Afternoon, Mr. Ahlberg. 04:56:18</p> <p>18 Mr. Ahlberg, have you ever seen 04:56:20</p> <p>19 any document specifically identifying a 04:56:21</p> <p>20 particular bank account as the pledge account? 04:56:25</p> <p>21 A. I can't recall personally looking 04:56:35</p> <p>22 at a document that's labeled a pledge account. 04:56:37</p> <p>23 Q. Do you know whether there are any 04:56:43</p> <p>24 documents that specifically identify a 04:56:45</p> <p>25 particular bank account as the hotel occupancy 04:56:48</p>	<p style="text-align: right;">465</p> <p>1 Exhibit 33 the document Bates-stamped 04:57:59</p> <p>2 CCDA_STA0006780. 04:58:10</p> <p>3 Do you see that? 04:58:14</p> <p>4 A. I don't see that. Could you 04:58:21</p> <p>5 repeat that? 04:58:24</p> <p>6 Q. Yeah, we marked as Monolines 04:58:28</p> <p>7 Exhibit 33 a document that's been Bates-stamped 04:58:30</p> <p>8 CCDA STA006780. 04:58:32</p> <p>9 A. Yes, I see that, thank you. 04:58:39</p> <p>10 Q. Okay. And if those documents are 04:58:42</p> <p>11 in Spanish, there is an English translation at 04:58:44</p> <p>12 the back. And if you look at -- well, are you 04:58:50</p> <p>13 going to want to look at the certified 04:59:03</p> <p>14 translation or the Spanish version? 04:59:05</p> <p>15 A. I would prefer the certified 04:59:07</p> <p>16 translation. 04:59:09</p> <p>17 Q. Okay. So looking at the certified 04:59:10</p> <p>18 translation, do you see that -- well, do you 04:59:19</p> <p>19 see what account these documents relate to? 04:59:37</p> <p>20 A. Yes, I see Account [REDACTED] 9947. 04:59:39</p> <p>21 Q. Okay. So this is the GDB 9947 04:59:49</p> <p>22 account. Do you agree with that? 04:59:52</p> <p>23 A. Yes. 04:59:56</p> <p>24 Q. And the account name is the Hotel 04:59:57</p> <p>25 Occupancy Tax Pledge Account. Do you see that? 05:00:00</p>

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1	A. I see that here.	05:00:05	1	BY MS. MILLER:	05:02:42
2	Q. Okay. So let me ask my question	05:00:07	2	Q. Did anyone on your team do that	05:02:42
3	again.	05:00:09	3	exercise?	05:02:45
4	Have you seen any documents that	05:00:10	4	A. I'm not positive. It's something	05:02:50
5	identify a particular bank account as the	05:00:12	5	that we can get back to you on.	05:02:53
6	pledge account?	05:00:15	6	Q. Did you ask anybody to do it?	05:02:54
7	A. Could we please flip back to the	05:00:27	7	A. I don't recall.	05:03:00
8	PowerPoint presentation? I just want to	05:00:29	8	Q. Did anybody tell you whether they	05:03:03
9	cross-reference this account number with the	05:00:32	9	had done it?	05:03:06
10	account in the Flow of Funds that I know to be	05:00:35	10	A. I can't recall just an exercise,	05:03:06
11	the pledge account.	05:00:36	11	but -- I don't know.	05:03:12
12	Q. Sure. Well, sorry, before we do	05:00:39	12	Q. Did you think it was an exercise	05:03:12
13	that, how do you know that the account in the	05:00:47	13	that was important to do in connection with	05:03:15
14	Flow of Funds is a pledge account? You said,	05:00:52	14	preparing the Flow of Funds?	05:03:16
15	"the account that I know to be the pledge	05:00:54	15	A. I think the Flow of Funds is	05:03:25
16	account." How do you know an account to be the	05:00:56	16	accurate as the method.	05:03:29
17	pledge account?	05:00:59	17	Q. Okay. Did you think it was	05:03:34
18	A. We were working in preparation for	05:01:00	18	important with respect to PRIFA to match the	05:03:36
19	this deper- -- deposition (indiscernible) that	05:01:03	19	Flow of Funds for the particular Funds and	05:03:39
20	there is an account in the Flow of Funds that	05:01:06	20	accounts identified in the various bond	05:03:39
21	is identifiable in the pledge account.	05:01:09	21	documents that we looked at earlier today?	05:03:41
22	Q. Okay. And what work did you do?	05:01:11	22	A. As I mentioned, I did not do that	05:03:50
23	A. It would have involved -- again,	05:01:17	23	in putting together the Flow of Funds, and I	05:03:53
24	as I mentioned, I personally did not review a	05:01:23	24	believe the Flow of Funds is still an accurate	05:03:55
25	document that had that pledge account language	05:01:26	25	representation of the Flow of Funds during the	05:03:59
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1	on that there, but it would have been in	05:01:27	1	relevant time period.	05:04:00
2	conversation with the team in preparation for	05:01:32	2	Q. Did you think it was important to	05:04:02
3	this deposition.	05:01:36	3	map the particular funds and accounts in the	05:04:04
4	Q. Would you have asked them if they	05:01:37	4	PRIFA Flow of Fund to bank accounts identified	05:04:07
5	saw a document that identified the account as	05:01:39	5	in your Flow of Funds chart in preparation for	05:04:13
6	the pledge account?	05:01:43	6	your deposition today?	05:04:15
7	A. I admit I can't recall right now	05:01:50	7	A. Could you please repeat that	05:04:20
8	asking about documents.	05:01:51	8	question?	05:04:24
9	Q. We spoke earlier today about the	05:01:55	9	Q. Did you think it was important to	05:04:25
10	PRIFA Flow of Funds. Do you recall that?	05:01:57	10	map the bank accounts identified in the PRIFA	05:04:26
11	A. I do recall speaking to you about	05:01:59	11	Flow of Funds chart that you prepared to the	05:04:32
12	the PRIFA Flow of Funds.	05:02:04	12	accounts and Funds identified in the PRIFA bond	05:04:34
13	Q. And do you recall being pretty	05:02:05	13	document?	05:04:38
14	adamant in connection with the testimony about	05:02:07	14	A. I can't assign a degree of	05:04:56
15	the bank account in the PRIFA Flow of Funds and	05:02:12	15	importance or not there other than that I would	05:04:58
16	the various funds and accounts in the bond	05:02:15	16	be able to put together an accurate Flow of	05:05:04
17	documents, that you did not undertake an	05:02:18	17	Funds without relying on an exercise like that.	05:05:08
18	exercise to map the accounts and Fund in PRIFA	05:02:20	18	Q. Okay. So you did not do it for	05:05:11
19	to the actual bank accounts in the Flow of	05:02:25	19	PRIFA; is that right?	05:05:13
20	Funds. Do you recall that?	05:02:27	20	A. I personally did not undertake an	05:05:17
21	MS. McKEEN: Objection.	05:02:30	21	exercise.	05:05:21
22	THE WITNESS: I recall saying that	05:02:34	22	Q. And you don't know if anybody on	05:05:21
23	I did not personally do an exercise mapping	05:02:36	23	your team did?	05:05:23
24	Flow of Funds to bond documents.	05:02:40	24	A. I can't recall off the top of my	05:05:23
25			25	head.	05:05:26

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1	Q. And it wasn't significant for you	05:05:26	1	BY MS. MILLER:	05:07:22
2	to find that out and to remember that in	05:05:28	2	Q. Of mapping the particular bank	05:07:25
3	advance of your testimony today, right?	05:05:30	3	accounts identified in the Flow of Funds to the	05:07:29
4	A. I think the Flow of Funds are	05:05:37	4	various funds and accounts identified in the	05:07:31
5	accurate as they are.	05:05:39	5	relevant bond document.	05:07:34
6	Q. I'm not challenging the Flow of	05:05:41	6	A. I did not personally do that	05:07:42
7	Funds. I believe that the Flow of Funds is	05:05:43	7	mapping exercise either.	05:07:45
8	accurate. My question is that it wasn't	05:05:45	8	Q. Okay. So how do you know that a	05:07:48
9	significant for you to find out from any other	05:05:51	9	particular account in the Flow of Funds is the,	05:07:51
10	team member in advance of your testimony today	05:05:54	10	quote, "pledge account"?	05:07:54
11	whether they had put together a mapping of the	05:05:56	11	A. From our discussions with -- with	05:08:00
12	Funds and accounts in various PRIFA bond	05:06:00	12	Tourism and our work together, we identified	05:08:04
13	documents to actual bank accounts, correct?	05:06:03	13	the account as a pledge account.	05:08:06
14	MS. McKEEN: Objection.	05:06:08	14	Q. Okay. Going back to PRIFA, did	05:08:14
15	THE WITNESS: I don't think not	05:06:11	15	you identify any of the particular accounts in	05:08:16
16	recalling whether this exercise was done or not	05:06:14	16	the PRIFA Flow of Funds to the designated	05:08:20
17	assigns a level of importance or not to the	05:06:17	17	account names in the bond document?	05:08:24
18	exercise.	05:06:18	18	A. I can't recall off the top of my	05:08:34
19	BY MS. MILLER:	05:06:18	19	head the names of the bond documents used.	05:08:38
20	Q. Well, if you thought it was an	05:06:20	20	Q. Okay. But it was important enough	05:08:41
21	important part of your testimony today,	05:06:22	21	for you to remember it with respect to CCDA?	05:08:43
22	wouldn't you have asked and remembered the	05:06:24	22	UNIDENTIFIED SPEAKER: Objection.	05:08:51
23	answer?	05:06:25	23		
24	MS. McKEEN: Objection,	05:06:26	24		
25	argumentative.	05:06:26	25		

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1	THE WITNESS: In preparation for	05:06:31	1	THE WITNESS: Again, I'm not	05:09:02
2	testimony, I focused on developing an accurate	05:06:32	2	certain about defining importance or level or	05:09:03
3	Flow of Funds.	05:06:38	3	not to that exercise.	05:09:06
4	BY MS. MILLER:	05:06:39	4	BY MS. MILLER:	05:09:06
5	Q. Okay. So you personally never did	05:06:39	5	Q. Can I ask you a question with	05:09:09
6	a mapping exercise for PRIFA, and you don't	05:06:41	6	respect to CCDA?	05:09:10
7	know if anybody on your team did, correct?	05:06:44	7	Do you have a particular account	05:09:12
8	MS. McKEEN: Objection, asked and	05:06:46	8	number that you would attach to each of the	05:09:16
9	answered.	05:06:51	9	accounts identified in the various CCDA bond	05:09:19
10	THE WITNESS: I can't -- I did not	05:06:51	10	documents?	05:09:24
11	personally perform the exercise, and I can't	05:06:52	11	A. Can you repeat that question?	05:09:30
12	recall if someone on the team did or not.	05:06:52	12	Q. Yeah. Sitting here today, do you	05:09:34
13	BY MS. MILLER:	05:06:52	13	have a particular account number that's	05:09:37
14	Q. Okay.	05:06:59	14	reflected in your Flow of Funds chart that you	05:09:40
15	THE REPORTER: I'm sorry. Can you	05:06:59	15	would attribute to the specific account names	05:09:42
16	repeat your answer, Mr. Ahlberg?	05:07:01	16	included in the various CCDA bond documents?	05:09:48
17	THE WITNESS: I did not	05:07:03	17	UNIDENTIFIED SPEAKER: Objection.	05:09:57
18	personally, and I cannot recall if anyone on	05:07:04	18	THE WITNESS: Yeah, I'm not	05:09:59
19	the team did or did not.	05:07:06	19	positive off the top of my head.	05:10:00
20	THE REPORTER: Thank you.	05:07:08	20	BY MS. MILLER:	05:10:00
21	BY MS. MILLER:	05:07:08	21	Q. Okay. So I'm going to go through	05:10:02
22	Q. Why did you do that exercise for	05:07:10	22	them, and you'll tell me, just a yes or no, if	05:10:04
23	CCDA?	05:07:17	23	there is an account number identified in the	05:10:07
24	MS. McKEEN: Objection.	05:07:18	24	Flow of Funds that you would attach to that	05:10:15
25	THE WITNESS: Which exercise?	05:07:22	25	account.	05:10:15

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1	And I don't need the notes -- the	05:10:17	1	pledge account?	05:13:11
2	names or numbers yet. I'm going to give you	05:10:18	2	A. Your question is how many times	05:13:18
3	some names. You're going to tell me what the	05:10:22	3	did I have a conversation about which accounts	05:13:21
4	number -- you're going to tell me if there's a	05:10:24	4	were considered by those names?	05:13:26
5	specific bank account that relates to that	05:10:25	5	Q. Yeah, about which accounts were	05:13:32
6	account designation in the document, okay,	05:10:28	6	connected to which particular bank account,	05:13:35
7	so --	05:10:32	7	exactly.	05:13:37
8	A. Can somebody pull up the Flow of	05:10:32	8	A. Yeah. I can't recall an exact	05:13:39
9	Funds in question?	05:10:36	9	amount or number of conversations that we had	05:13:42
10	Q. Yeah, sure. Let's -- let's put --	05:10:37	10	where we would have specifically talked about	05:13:46
11	yeah, let's put up Exhibit 32, please.	05:10:38	11	this.	05:13:51
12	Okay. So we are going to look at	05:10:43	12	Q. Do you recall any conversations	05:13:51
13	this January 2015 to November 2015 flow.	05:10:45	13	where you specifically spoke about it?	05:13:52
14	Okay. So looking at this, is	05:10:50	14	A. Just to clarify, are we referring	05:14:01
15	there a particular bank account that you	05:10:52	15	to Tourism right now?	05:14:04
16	believe is the transfer account?	05:10:54	16	Q. Yeah, I'm talking about Tourism	05:14:05
17	A. Yes.	05:10:58	17	right now.	05:14:07
18	Q. And is there a particular bank	05:10:59	18	A. Thank you for clarifying.	05:14:09
19	account that you believe is the surplus	05:11:01	19	With that clarification, would you	05:14:11
20	account?	05:11:03	20	please repeat the question?	05:14:16
21	A. Yes.	05:11:05	21	Q. How many conversations can you	05:14:18
22	Q. And is there a particular bank	05:11:06	22	recall having about which accounts	05:14:20
23	account that you believe is the pledge account?	05:11:09	23	identified -- which bank accounts identified in	05:14:22
24	A. Yes.	05:11:13	24	the Flow of Funds that you prepared related to	05:14:24
25	Q. And is there a particular bank	05:11:14	25	which account in the various bond documents?	05:14:28

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1	account that you believe is the trust account?	05:11:17	1	A. I can't recall an exact amount of	05:14:33
2	A. Yes.	05:11:24	2	conversation.	05:14:36
3	Q. Okay. So you can map in your	05:11:26	3	Q. Was it more than one?	05:14:37
4	mind, sitting here with no documents in front	05:11:30	4	A. The identification of different	05:14:38
5	of you and no preparation, every single	05:11:32	5	accounts came up on more than one occasion.	05:14:49
6	relevant account identified in the CCDA -- CCDA	05:11:36	6	Q. I mean, identification -- and	05:14:54
7	document to a specific bank account in this	05:11:40	7	you only -- when you say the identification of	05:14:55
8	chart, is that your testimony?	05:11:42	8	particular -- and I just want to make sure we	05:14:57
9	UNIDENTIFIED SPEAKER: Objection.	05:11:46	9	mean the same thing.	05:15:00
10	UNIDENTIFIED SPEAKER: Objection.	05:11:48	10	I mean the connecting or mapping	05:15:01
11	THE WITNESS: I can identify on	05:11:51	11	of a particular bank account to a particular	05:15:03
12	this page accounts that I consider the pledge	05:11:52	12	account name in a bond document. Is that what	05:15:06
13	account, transfer account, surplus account.	05:11:57	13	you're saying?	05:15:09
14	BY MS. MILLER:	05:11:57	14	A. That is not what I was saying.	05:15:10
15	Q. Okay. Can we just pull up the	05:12:06	15	Q. Okay. So that's my	05:15:12
16	PRIFA Flow of Funds for a minute because I just	05:12:19	16	question -- that's my question, so let me ask	05:15:15
17	want to ask you, sitting here off the top of	05:12:22	17	my question again so we can just be clear.	05:15:16
18	your head, if you did the same exercise with	05:12:26	18	How many conversations do you	05:15:18
19	respect to the PRIFA Flow of Funds.	05:12:29	19	recall about the linking of particular bank	05:15:21
20	While we are waiting for that,	05:12:48	20	account numbers to account names used or	05:15:25
21	Mr. Ahlberg, how many conversations that -- do	05:12:50	21	designations used in the bond documents?	05:15:30
22	you -- have you had in preparation of these	05:12:54	22	A. I don't recall any specific	05:15:34
23	Flow of Funds or in preparation for your	05:12:58	23	conversations where we discussed those things.	05:15:37
24	deposition today about which account is the	05:13:00	24	Q. So how do you know, for example,	05:15:41
25	transfer account, the surplus account, and the	05:13:09	25	that the 9947 account is the pledge account?	05:15:43

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1	A. Some discussions with -- with	05:15:52	1	marked as Exhibit 24.	05:18:52
2	Tourism Company and an understanding of	05:15:54	2	And could we go to the first Flow	05:18:56
3	operationally how things work.	05:15:59	3	of Funds chart in this document?	05:19:00
4	Q. Okay. I thought you just told me	05:16:01	4	So we are going to look at the	05:19:02
5	that you didn't have any conversations about	05:16:02	5	January 2014 to June 2015 Flow of Funds. Do	05:19:04
6	that.	05:16:05	6	you see that?	05:19:08
7	MS. McKEEN: Objection.	05:16:07	7	A. Yes.	05:19:08
8	BY MS. MILLER:	05:16:07	8	Q. Okay. And in the PRIFA Flow of	05:19:09
9	Q. What conversations are you	05:16:10	9	Funds, the moneys are supposed to be deposited	05:19:12
10	recalling?	05:16:12	10	to the credit of the Puerto Rico Infrastructure	05:19:17
11	A. It's hard to know since there were	05:16:32	11	Fund. Can you identify a particular bank	05:19:21
12	several conversations with the different	05:16:36	12	account on this chart that relates to that?	05:19:23
13	management teams in preparation for this	05:16:40	13	A. There is no bank account on this	05:19:30
14	deposition.	05:16:42	14	chart that is identifiable as the Puerto Rico	05:19:33
15	Q. Who did you have conversations	05:16:53	15	Infrastructure Fund.	05:19:37
16	with about the mapping of particular bank	05:16:54	16	Q. Okay. And then the moneys that	05:19:37
17	accounts to account designations in the bond	05:16:57	17	flow from there into the Sinking Fund?	05:19:39
18	documents?	05:17:08	18	UNIDENTIFIED SPEAKER: Objection.	05:19:49
19	MS. McKEEN: Objection.	05:17:08	19	BY MS. MILLER:	05:19:49
20	THE WITNESS: I don't recall	05:17:09	20	Q. Are there any accounts on this --	05:19:52
21	specific conversations about mapping accounts	05:17:09	21	on this Flow of Funds that you can identify as	05:19:54
22	to the bond documents.	05:17:11	22	the Sinking Fund?	05:19:59
23	BY MS. MILLER:	05:17:17	23	A. I am not positive of any of these	05:20:06
24	Q. Did you have any conversations	05:17:17	24	accounts being identified as the Sinking Fund.	05:20:08
25	with counsel about mapping of bond documents --	05:17:18	25	Q. Okay. And do you know whether	05:20:10
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1	just a yes or no -- mapping of accounts to bond	05:17:21	1	that US Bank Account -0002 is the reserve	05:20:12
2	documents?	05:17:25	2	account?	05:20:16
3	A. I mean, I can't recall if we	05:17:28	3	A. I'm not certain if that's the	05:20:24
4	specifically discussed this issue or not.	05:17:30	4	colloquial name of this account or not.	05:20:28
5	Q. I'm trying to understand -- I	05:17:44	5	Q. I mean, there are reserve accounts	05:20:33
6	showed you a document that identified the	05:17:46	6	that are discussed in the relevant bond	05:20:36
7	pledge account 9947 as the pledge account, and	05:17:50	7	documents. Do you know if that US Bank 002	05:20:38
8	you indicated to me that you weren't sure if	05:17:53	8	account is similar to the account discussed in	05:20:42
9	you had ever seen any document that identified	05:17:56	9	the bond document?	05:20:45
10	9947 specifically as the pledge account; is	05:18:01	10	A. Off the top of my head, I'm not	05:20:49
11	that right?	05:18:07	11	certain if that's the reserve account discussed	05:20:53
12	A. That's correct.	05:18:07	12	in the bond document.	05:20:54
13	Q. And yet you're confident that 9947	05:18:07	13	Q. Okay. So, looking -- and you	05:20:55
14	is the pledge account, right?	05:18:12	14	don't know if it's the redemption account	05:20:57
15	A. Without having that diagram in	05:18:18	15	either, do you?	05:21:00
16	front of me, I can't recall the exact account	05:18:21	16	A. I'm not positive.	05:21:01
17	number. I can remember it in the positioning	05:18:23	17	Q. Okay. So sitting here, off the	05:21:02
18	of the document.	05:18:25	18	top of your head, looking at this PRIFA Flow of	05:21:05
19	Q. Okay. Where -- where is it	05:18:27	19	Funds, is there any bank account that you can	05:21:08
20	positioned in the document?	05:18:28	20	attach a label from the bond document to?	05:21:10
21	A. If we could show the document, I	05:18:34	21	A. No.	05:21:25
22	could identify the account.	05:18:37	22	MS. MILLER: Okay. So now we can	05:21:26
23	Q. Okay. I'm not going to do that	05:18:39	23	put up the CCDA Flow of Funds, which is	05:21:28
24	right now because I have the PRIFA document up,	05:18:41	24	Exhibit 32. We can put that back up.	05:21:31
25	which is Exhibit 34 -- sorry -- 24. It was	05:18:48	25		

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1	BY MS. MILLER:	05:21:31	1	BY MS. MILLER:	05:24:09
2	Q. Okay. But off the top of your	05:21:43	2	Q. Okay. So understanding that you	05:24:15
3	head, you were able to attach labels	05:21:45	3	focused on the Flow of Funds exclusively and	05:24:17
4	corresponding or correlating particular bank	05:21:48	4	the flow of cash, why is it that you committed	05:24:20
5	accounts in the CCDA Flow of Funds to each of	05:21:51	5	to memory which of these accounts corresponds	05:24:22
6	the three key accounts in the CCDA document; is	05:21:55	6	to particular named accounts in the bond	05:24:25
7	that right?	05:21:59	7	document?	05:24:27
8	A. In the Tourism document, yes.	05:21:59	8	A. I can't give you an exact reason	05:24:32
9	Q. Okay. Okay. So the pledge	05:22:01	9	about why I committed those to memory, other	05:24:35
10	account, which account is it your position is	05:22:08	10	than I know that's how the Tourism Company	05:24:38
11	the pledge account?	05:22:10	11	understands the account.	05:24:41
12	A. The 9947.	05:22:13	12	Q. Okay. And do you know what	05:24:43
13	Q. Okay. And you testified that you	05:22:15	13	Gustavo's basis was for identifying particular	05:24:46
14	weren't sure if you've ever seen any document	05:22:18	14	accounts, bank accounts as those accounts in	05:24:49
15	that specifically identified that, but I showed	05:22:21	15	the bond document?	05:24:52
16	you a document that identified that, the pledge	05:22:23	16	A. Not certain of the exact process	05:24:56
17	account, the name.	05:22:29	17	that he used to determine.	05:24:59
18	A. You did show me a document that	05:22:29	18	Q. Did you ask him if he looked at	05:25:01
19	named that account as the -- a pledge account	05:22:31	19	any account opening statements or documents?	05:25:03
20	in the name.	05:22:34	20	A. I don't recall specifically asking	05:25:10
21	Q. Okay. And who at the Tourism	05:22:34	21	him that question or not.	05:25:11
22	Company did you speak to about matching --	05:22:37	22	Q. Did you ask him if he looked at	05:25:13
23	sorry -- mapping these various bank accounts to	05:22:40	23	any other document that might identify a	05:25:15
24	the account designations used in the bond	05:22:43	24	particular account with a name used in the bond	05:25:19
25	documents?	05:22:47	25	document?	05:25:22
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1	MS. McKEEN: Objection.	05:22:50	1	A. I can't recall specifically asking	05:25:27
2	THE WITNESS: Discussed with	05:22:54	2	him a question like that or not.	05:25:29
3	Gustavo and Brett which accounts operated as	05:22:58	3	Q. Did you do anything to	05:25:31
4	the transfer, pledge, surplus account.	05:23:02	4	independently verify or confirm what Gustavo	05:25:32
5	BY MS. MILLER:	05:23:02	5	told you about which account was which?	05:25:39
6	Q. Okay. And did Brett have	05:23:09	6	A. No, other -- no, but the actual	05:25:47
7	independent knowledge of which account	05:23:14	7	Flow of Funds makes sense to me, given the	05:26:01
8	corresponded to each of those accounts --	05:23:16	8	assignments to those accounts that he provided.	05:26:11
9	sorry -- which bank accounts corresponded to	05:23:21	9	Q. Well, we spoke earlier -- well,	05:26:17
10	each of those bond document accounts?	05:23:23	10	what do you mean it made sense to you based on	05:26:21
11	A. I can't say one way or the other	05:23:32	11	the assignments that he provided? Do you mean	05:26:25
12	if Brett had personal knowledge of the bond	05:23:36	12	it made sense in terms of corresponding to	05:26:28
13	documents or not.	05:23:38	13	moneys that were supposed to be transferred	05:26:30
14	Q. Okay. And did you ask whether	05:23:39	14	into the various accounts, and had the moneys	05:26:34
15	they knew which of these bank accounts	05:23:42	15	actually flowed in relation to that?	05:26:36
16	correlated to particular accounts in the bond	05:23:45	16	MS. McKEEN: Objection.	05:26:49
17	documents?	05:23:49	17	THE WITNESS: What I mean	05:26:51
18	MS. McKEEN: Objection.	05:23:51	18	generally, for example, is that I understand	05:26:53
19	THE WITNESS: My question to them	05:23:54	19	the Account 5144 being the surplus account, the	05:26:58
20	was not in the context of "match these accounts	05:23:57	20	surplus of the monthly average 3 million	05:27:00
21	to the bond documents;" would have been in the	05:23:59	21	transfer from 9258, transfer to 9947, and thus	05:27:04
22	context of in the actual Flow of Funds, which	05:24:01	22	the identification from the surplus account	05:27:11
23	account functions as X account, which account	05:24:05	23	fits with my understanding of the Flow of Funds	05:27:13
24	functions as Y account.	05:24:09	24	as presented here.	05:27:15
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1	BY MS. MILLER:	05:27:15	1	Company?	05:29:43
2	Q. Okay. Have you ever seen any	05:27:17	2	A. Did --	05:29:43
3	document identifying the Scotiabank 5144	05:27:20	3	Q. The moneys other than these excess	05:29:43
4	account as the surplus account?	05:27:23	4	moneys from the hotel occupancy taxes flow into	05:29:45
5	A. I can't recall a specific document	05:27:29	5	the 5144 account?	05:29:48
6	that refers to it as the surplus account.	05:27:31	6	A. Could you repeat that, please?	05:29:52
7	Q. You think that you've seen it,	05:27:35	7	Q. The moneys other than the excess	05:29:54
8	though?	05:27:38	8	moneys from the hotel occupancy taxes, excuse	05:29:55
9	A. I think I have seen some	05:27:39	9	me, flow into the 5144 account?	05:30:04
10	documents.	05:27:44	10	A. Correct.	05:30:07
11	Q. You think you have. Okay. I'm	05:27:44	11	Q. And you understand that the	05:30:12
12	going to -- okay.	05:27:47	12	surplus account is one of the two accounts	05:30:14
13	So I've looked through the	05:27:49	13	that's in the Special Fund called the Holding	05:30:17
14	production, and I have not seen any documents	05:27:50	14	Fund under the assignment and coordination	05:30:20
15	that identify the 5144 account as a surplus	05:27:53	15	agreement that we looked at and previously	05:30:22
16	account.	05:27:57	16	marked as Exhibit 30, correct?	05:30:24
17	MS. MILLER: So I'm going to call	05:27:57	17	A. I understand that that's what the	05:30:27
18	on the record for the production of any such	05:27:58	18	document we looked at together said.	05:30:30
19	documents that you've seen that you're relying	05:28:00	19	Q. Okay. And do you have an	05:30:31
20	on for your testimony that the 5144 account is	05:28:02	20	understanding of whether operating moneys would	05:30:33
21	the surplus account or that the Commonwealth	05:28:04	21	flow into a Special Fund as that term is used	05:30:39
22	otherwise intends to rely on.	05:28:08	22	in government accounting?	05:30:42
23	BY MS. MILLER:	05:28:08	23	A. I'm not certain how to answer your	05:30:54
24	Q. Okay. So you believe that you've	05:28:14	24	question. Could you be more specific?	05:30:56
25	seen a document identifying the 5144 account as	05:28:15	25	Q. Yes. Do you know whether general	05:30:59
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1	the surplus account; is that right?	05:28:19	1	operating -- sorry.	05:31:01
2	A. I feel confident to say that I	05:28:24	2	Do you know whether general	05:31:02
3	believe the 5144 account is the surplus	05:28:26	3	revenues used for operating expenses would flow	05:31:04
4	account.	05:28:29	4	into a Special Fund?	05:31:07
5	Q. That wasn't my question.	05:28:29	5	UNIDENTIFIED SPEAKER: Objection.	05:31:16
6	You believe that you've seen a	05:28:33	6	THE WITNESS: I don't think about	05:31:21
7	document that identifies the 5144 account as	05:28:33	7	dollars flowing into Funds, but I'm also not	05:31:22
8	the surplus account; is that correct?	05:28:36	8	sure of the way that that would be classified.	05:31:26
9	A. Yeah, and I'm not certain one way	05:28:44	9	BY MS. MILLER:	05:31:26
10	or the other as to whether I've seen a specific	05:28:45	10	Q. Okay. And I don't think you	05:31:39
11	document that calls it that or not.	05:28:48	11	actually said it yet, so let me ask you to	05:31:41
12	Q. Okay. Have you seen any documents	05:28:49	12	identify which bank account do you believe on	05:31:45
13	that call any of these accounts the surplus	05:28:53	13	this chart corresponds to the transfer account?	05:31:50
14	account?	05:28:55	14	A. GDB account 9758.	05:31:59
15	A. I believe so. I just -- I can't	05:29:06	15	Q. Okay. And what is the basis for	05:32:02
16	recall a specific document.	05:29:12	16	that testimony?	05:32:04
17	Q. Okay. And you believe that the	05:29:13	17	A. Conversations with Tourism.	05:32:08
18	document that you saw, called the Scotiabank	05:29:14	18	Q. And did you do anything to verify	05:32:12
19	5144 account the surplus account; is that	05:29:17	19	what Tourism told you about that?	05:32:16
20	right?	05:29:24	20	A. I did not personally pull	05:32:22
21	A. I -- yeah, I can't recall if it's	05:29:24	21	documents to verify that, but the team, the	05:32:25
22	a specific document, as I mentioned, or in	05:29:26	22	entire document production had hundreds --	05:32:30
23	conversations with Gustavo.	05:29:30	23	thousands -- thousands of documents that I	05:32:33
24	Q. Okay. Is the 5144 account a	05:29:32	24	personally could not review every single	05:32:36
25	comingled operational account of the Tourism	05:29:36	25	document.	05:32:38

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<p style="text-align: right;">490</p> <p>1 Q. And you're confident that if 05:32:38</p> <p>2 somebody told you that the 9758 account is the 05:32:40</p> <p>3 transfer account that there is a document among 05:32:43</p> <p>4 the thousands -- I would say many tens of 05:32:46</p> <p>5 thousands of documents -- that were produced 05:32:49</p> <p>6 that identifies the 9758 account as the 05:32:51</p> <p>7 transfer account, correct? 05:32:55</p> <p>8 UNIDENTIFIED SPEAKER: Objection. 05:32:58</p> <p>9 THE WITNESS: I can't recall if 05:33:07</p> <p>10 there's specific documents (indiscernible). 05:33:09</p> <p>11 THE REPORTER: I'm sorry. Can you 05:33:14</p> <p>12 repeat that once more? 05:33:16</p> <p>13 THE WITNESS: I cannot recall if 05:33:17</p> <p>14 there is a specific document that was used to 05:33:18</p> <p>15 make that determination. 05:33:20</p> <p>16 BY MS. MILLER: 05:33:20</p> <p>17 Q. And do you know if you've ever 05:33:26</p> <p>18 seen any document referring to the 9758 account 05:33:27</p> <p>19 as an account other than the transfer account? 05:33:30</p> <p>20 A. I'm not certain. 05:33:38</p> <p>21 Q. Okay. Mr. Ahlberg, in putting 05:33:40</p> <p>22 together your Flow of Funds, did you use 05:33:42</p> <p>23 instruction letters to identify which moneys 05:33:50</p> <p>24 deposited into the 9758 account flowed into the 05:33:53</p> <p>25 9947 account? 05:33:58</p>	<p style="text-align: right;">492</p> <p>1 showed you a number of bond documents earlier, 05:36:11</p> <p>2 and you told me you hadn't looked at many of 05:36:13</p> <p>3 them. And my question is: 05:36:16</p> <p>4 If you didn't even look at them, 05:36:17</p> <p>5 how did you know what accounts were to even 05:36:18</p> <p>6 know what labels to be putting on various bank 05:36:20</p> <p>7 accounts? That's my question. 05:36:23</p> <p>8 UNIDENTIFIED SPEAKER: Objection. 05:36:25</p> <p>9 BY MS. MILLER: 05:36:29</p> <p>10 Q. So I'm assuming, consistent with 05:36:29</p> <p>11 your testimony, that the process that you 05:36:32</p> <p>12 underwent was entirely independent of the 05:36:33</p> <p>13 various Fund or account designations under 05:36:36</p> <p>14 statutes and bond documents and that there was 05:36:39</p> <p>15 no reason or need for you to map them or 05:36:41</p> <p>16 connect them. That's consistent with your 05:36:45</p> <p>17 testimony in HTA and PRIFA. 05:36:51</p> <p>18 But suddenly, in CCDA, you have 05:36:53</p> <p>19 very strong opinions about which account 05:36:55</p> <p>20 corresponds to -- which bank account 05:36:58</p> <p>21 corresponds to which account designation in the 05:36:59</p> <p>22 bond documents, and that's what I'm trying to 05:37:01</p> <p>23 understand here. 05:37:03</p> <p>24 UNIDENTIFIED SPEAKER: Objection. 05:37:06</p> <p>25</p>
<p style="text-align: right;">491</p> <p>1 A. We looked at these transfer 05:34:09</p> <p>2 letters. I'm not sure if that's the same thing 05:34:14</p> <p>3 as instruction letters that you're referring 05:34:16</p> <p>4 to. 05:34:17</p> <p>5 Q. Okay. So I'm going to pull one 05:34:18</p> <p>6 up, and you can tell me. Can I get tab 2132, 05:34:24</p> <p>7 please, marked up as the next exhibit. 05:34:31</p> <p>8 (Monolines Exhibit 34 is 05:34:31</p> <p>9 introduced for the record.) 05:35:16</p> <p>10 BY MS. MILLER: 05:35:16</p> <p>11 Q. Did you come to understand what 05:35:17</p> <p>12 the relevant account names were under the 05:35:18</p> <p>13 various bond documents? 05:35:24</p> <p>14 A. I'm sorry. You broke up there in 05:35:29</p> <p>15 the middle of your question. 05:35:31</p> <p>16 Q. How did you come to understand 05:35:32</p> <p>17 what the relevant account names were under the 05:35:33</p> <p>18 various bond documents and related agreements? 05:35:37</p> <p>19 A. It -- it's hard to answer that 05:35:54</p> <p>20 question because that assumes the -- part of 05:35:57</p> <p>21 the approach that I took to build the Flow of 05:35:59</p> <p>22 Funds, which we start with the actual Flow of 05:36:02</p> <p>23 Funds. 05:36:05</p> <p>24 Q. Yeah. I'm saying how did you 05:36:05</p> <p>25 figure out what -- well, when I asked -- I 05:36:08</p>	<p style="text-align: right;">493</p> <p>1 BY MS. MILLER: 05:37:06</p> <p>2 Q. So my question was: 05:37:28</p> <p>3 How did you come to know what the 05:37:29</p> <p>4 account names were under the bond document that 05:37:32</p> <p>5 you could attach to the various bank accounts? 05:37:34</p> <p>6 A. I'm not certain what the entire 05:37:50</p> <p>7 process was to assign names to the accounts as 05:37:52</p> <p>8 I understand them, plus my understanding came 05:37:54</p> <p>9 about by a discussion with Tourism. 05:37:59</p> <p>10 Q. Okay. So we have marked as 05:38:10</p> <p>11 Monolines Exhibit 34 a document. Do you see 05:38:12</p> <p>12 it? 05:38:16</p> <p>13 A. I see a document. 05:38:16</p> <p>14 Q. And is this the document -- a form 05:38:17</p> <p>15 of document that you recognize? 05:38:19</p> <p>16 A. Yes. 05:38:45</p> <p>17 Q. Okay. And there are actually, if 05:38:46</p> <p>18 you scroll through in this exhibit, a number of 05:38:48</p> <p>19 sample transfer documents that we were given, 05:38:52</p> <p>20 instruction letters that we were provided, and 05:38:58</p> <p>21 you can flip through and look at all of them if 05:39:01</p> <p>22 you would like. There is also, I see -- maybe 05:39:04</p> <p>23 we don't have an English translation. 05:39:06</p> <p>24 Do we have an English translation 05:39:10</p> <p>25 of these? 05:39:12</p>

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<p style="text-align: right;">494</p> <p>1 MS. McKEEN: Atara, are they 05:39:12</p> <p>2 consecutively paginated, or is this just -- 05:39:16</p> <p>3 MS. MILLER: Mine are 05:39:22</p> <p>4 consecutively paginated, yes. 05:39:25</p> <p>5 MS. McKEEN: Thank you. 05:39:25</p> <p>6 MS. MILLER: No, I think this was 05:39:26</p> <p>7 a collection of -- this was a collection of 05:39:29</p> <p>8 instruction documents that were produced, and 05:39:32</p> <p>9 there is an English translation. And this 05:39:34</p> <p>10 is -- my understanding, Liz, is that this is 05:39:37</p> <p>11 how the document was produced all together as a 05:39:39</p> <p>12 single packet. 05:39:42</p> <p>13 MS. McKEEN: Thank you. That was 05:39:43</p> <p>14 just my question. 05:39:44</p> <p>15 MS. MILLER: Yeah. 05:39:45</p> <p>16 BY MS. MILLER: 05:39:50</p> <p>17 Q. Okay. So, Mr. Ahlberg, looking at 05:39:50</p> <p>18 this, do you see that this is authorizing a 05:39:57</p> <p>19 transfer from one account to another 05:39:58</p> <p>20 account -- oh, we are pulling up the English 05:40:06</p> <p>21 translation. Here we go. 05:40:07</p> <p>22 Okay. And do you see that this 05:40:19</p> <p>23 letter is authorizing the debiting of a 05:40:22</p> <p>24 particular account of 3-million-plus dollars? 05:40:28</p> <p>25 Do you see that? 05:40:37</p>	<p style="text-align: right;">496</p> <p>1 A. Could we go to the Spanish 05:42:27</p> <p>2 translation just so I know for sure? 05:42:29</p> <p>3 Q. Sure. 05:42:32</p> <p>4 A. Yes, thanks. 05:42:40</p> <p>5 Q. Okay. And so -- and it's from a 05:42:41</p> <p>6 Mr. Samuel Sierra Rivera. Do you see that? 05:42:45</p> <p>7 A. Yes. 05:42:55</p> <p>8 Q. And he's -- he identifies himself 05:42:55</p> <p>9 as the chief financial officer. Do you see 05:42:58</p> <p>10 that? 05:43:01</p> <p>11 A. I see that. 05:43:01</p> <p>12 Q. Okay. And so according to this 05:43:05</p> <p>13 instruction letter, the chief financial officer 05:43:07</p> <p>14 of the Tourism Company is identifying the 05:43:10</p> <p>15 99 -- the 9758 account as, quote, the room tax 05:43:14</p> <p>16 concentration surplus. Do you see that? 05:43:18</p> <p>17 A. I see that. 05:43:22</p> <p>18 Q. Okay. Do you have any 05:43:23</p> <p>19 reason -- do you know who Mr. Sierra Rivera is? 05:43:25</p> <p>20 A. I do not. 05:43:37</p> <p>21 Q. Okay. Do you know whether Gustavo 05:43:37</p> <p>22 is junior or senior to the chief financial 05:43:40</p> <p>23 officer of the Tourism Company? 05:43:44</p> <p>24 A. I know Gustavo is not the CFO of 05:43:48</p> <p>25 the company in his finance position. That 05:43:51</p>
<p style="text-align: right;">495</p> <p>1 A. Yes, I see that. 05:40:37</p> <p>2 Q. Okay. And what account is that 05:40:38</p> <p>3 debiting? 05:40:42</p> <p>4 A. The account number listed is 05:40:42</p> <p>5 Redacted 9758. 05:40:46</p> <p>6 Q. Okay. And is that the same 05:40:49</p> <p>7 account that is identified on your Flow of 05:40:52</p> <p>8 Funds chart, Exhibit 32, as GDB 9758? 05:40:54</p> <p>9 A. Yes. 05:41:06</p> <p>10 Q. Okay. And how is that accounting 05:41:06</p> <p>11 identified in this transfer letter? 05:41:11</p> <p>12 A. This transfer letter assigns a 05:41:16</p> <p>13 name in quotes to that account of Room Tax - 05:41:24</p> <p>14 Concentration Surplus. 05:41:29</p> <p>15 Q. And do you have an understanding 05:41:29</p> <p>16 of what it means when an account name is put in 05:41:36</p> <p>17 quotes in a transfer letter like this? 05:41:38</p> <p>18 A. I'm not entirely positive. 05:41:52</p> <p>19 Q. Okay. And who is this letter 05:41:54</p> <p>20 from, can you tell? 05:41:56</p> <p>21 And I don't know if it would be 05:42:00</p> <p>22 easier to look at or if you would prefer to 05:42:02</p> <p>23 look at the original Spanish letterhead, but 05:42:05</p> <p>24 this is a letter from the Tourism Company to 05:42:08</p> <p>25 the GDB, is it not? 05:42:10</p>	<p style="text-align: right;">497</p> <p>1 would make him subordinate to the CFO at the 05:43:54</p> <p>2 Tourism Company. 05:43:59</p> <p>3 Q. All right. Do you have any reason 05:43:59</p> <p>4 to dispute the at least then-CFO of the Tourism 05:44:02</p> <p>5 company's characterization of the 9758 account 05:44:05</p> <p>6 as the room tax concentration surplus? 05:44:09</p> <p>7 A. He calls the account what he calls 05:44:20</p> <p>8 the account in this letter. 05:44:22</p> <p>9 Q. Okay. And you haven't seen any 05:44:25</p> <p>10 documents that would indicate that the 9758 05:44:27</p> <p>11 account is not the surplus account, have you? 05:44:31</p> <p>12 A. I can't recall specifically seeing 05:44:38</p> <p>13 any documents like that. 05:44:40</p> <p>14 Q. Well, I can tell you that we 05:44:42</p> <p>15 haven't. So I, again, call for the production 05:44:44</p> <p>16 of any documents that would suggest that an 05:44:47</p> <p>17 account other than the 9758 account is the 05:44:49</p> <p>18 surplus account. 05:44:55</p> <p>19 And you have not seen any 05:44:56</p> <p>20 documents, have you, that identified the 9758 05:44:57</p> <p>21 account as the transfer account, have you? 05:45:00</p> <p>22 A. I can't recall seeing a specific 05:45:06</p> <p>23 document that said that, but from my work with 05:45:08</p> <p>24 Tourism, I understand that account to be the 05:45:10</p> <p>25 transfer account. 05:45:12</p>

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1	Q. You haven't seen any documents	05:45:14	1	Q. Sure.	05:48:17
2	that say that.	05:45:16	2	A. Yes, I see that Account 9758	05:48:29
3	A. I can't recall if there were	05:45:19	3	listed on this document.	05:48:33
4	documents, off the top of my head.	05:45:23	4	Q. Okay. And what is the	05:48:34
5	Q. Okay. And you've now seen at	05:45:24	5	representation from your counsel about the	05:48:36
6	least one collection of documents, and you can	05:45:27	6	account-opening documents for 9758?	05:48:38
7	flip through and see that the tourism company	05:45:28	7	A. I was unable to locate an	05:48:45
8	in each of these letters identifies the 9758	05:45:30	8	account-opening document in GDB's file.	05:48:49
9	account as the room tax concentration surplus.	05:45:34	9	Q. Okay. And so do you now retract	05:48:51
10	You haven't seen any -- you've at	05:45:37	10	your prior statement that you believe someone	05:48:54
11	least not seen one collection of documents that	05:45:39	11	on your team reviewed account-opening	05:48:56
12	identified something other than the transfer	05:45:43	12	statements for GDB 9758?	05:48:59
13	account, right?	05:45:44	13	A. I do. I apologize.	05:49:02
14	A. Again, I can't recall seeing it or	05:45:49	14	Q. Okay. So to the best of your	05:49:04
15	not seeing a document like that.	05:45:51	15	knowledge and my knowledge, there simply are no	05:49:09
16	Q. I'm asking you about the document	05:45:55	16	available account-opening documents for GDB	05:49:11
17	that's in front of you right now. You are	05:45:57	17	9758, correct?	05:49:15
18	currently looking at at least one document, one	05:45:59	18	A. Correct.	05:49:20
19	document that is a collection of multiple	05:46:01	19	Q. Okay. And what are -- is the	05:49:21
20	documents that identify the 9758 account as	05:46:03	20	Scotiabank 5142 account? Do you know if you've	05:49:24
21	something other than the transfer account;	05:46:09	21	looked at any account-opening documents for the	05:49:28
22	isn't that right?	05:46:11	22	Scotiabank 5142 account?	05:49:31
23	A. These documents do call that	05:46:16	23	A. I didn't personally review the	05:49:40
24	account number by name. That is not the	05:46:21	24	account-opening statement for Scotiabank	05:49:43
25	transfer account.	05:46:24	25	Account 5142.	05:49:45
499			501		
1	Q. Okay. And the name is Room Tax	05:46:24	1	Q. Do you know whether anyone on your	05:49:47
2	Concentration Surplus, isn't it?	05:46:26	2	team received an account-opening statement --	05:49:50
3	A. That's what it says.	05:46:28	3	sorry -- account-opening document for	05:49:53
4	Q. Okay. And I'd like to now mark as	05:46:30	4	Scotiabank 5142?	05:49:56
5	Exhibit 35 tab 2507.	05:46:40	5	A. Off the top of my head, I'm not	05:49:59
6	(Monolines Exhibit 35 is	05:46:40	6	certain.	05:50:01
7	introduced for the record.)	05:47:12	7	Q. Okay. Well, I'll tell you, and I	05:50:05
8	BY MS. MILLER:	05:47:12	8	can mark it if you'd like, but your counsel	05:50:07
9	Q. Mr. Ahlberg, have you seen any	05:47:12	9	represented that it provided to us all of the	05:50:11
10	account-opening documents for the GDB 9758	05:47:14	10	documents that it was able to get from	05:50:14
11	account?	05:47:18	11	Oriental Bank and that that did not include	05:50:18
12	A. I don't think I personally	05:47:22	12	account-opening documents for 5142.	05:50:21
13	reviewed an account opening statement for that	05:47:23	13	Do you have any reason to believe	05:50:23
14	account.	05:47:28	14	that such account-opening documents are	05:50:24
15	Q. Okay. Do you know whether anybody	05:47:28	15	available?	05:50:26
16	on your team did?	05:47:31	16	A. No.	05:50:37
17	A. I believe someone on the team	05:47:32	17	Q. Okay. So it's actually listed in	05:50:38
18	would have agreed that document.	05:47:38	18	this chart as well right under what we were	05:50:41
19	Q. Okay. So I've marked as	05:47:41	19	looking at. Okay. I want to go back to	05:50:43
20	Exhibit 35 a letter dated March 31, 2002, from	05:47:48	20	Exhibit 32, which is the Flow of Funds.	05:51:02
21	your counsel to me and many others, and I want	05:47:54	21	Okay. In 5144, you indicated to	05:51:30
22	you to look at page 2 of that account on this	05:47:59	22	me that slot machine proceeds were also	05:51:34
23	chart. And do you see the GDB 9758 account	05:48:02	23	deposited in that account, correct?	05:51:39
24	listed?	05:48:06	24	A. I believe so, yes.	05:51:43
25	A. Please give me a moment here.	05:48:11	25	Q. Do you know why slot machine	05:51:44

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1	proceeds would be deposited into the surplus	05:51:46	1	transfer account, right?	05:54:37
2	account, which is an account in the Holding	05:51:49	2	MS. McKEEN: Objection,	05:54:39
3	Fund under the CCDA bond documents?	05:51:51	3	argumentative.	05:54:40
4	UNIDENTIFIED SPEAKER: Objection.	05:52:01	4	BY MS. MILLER:	05:54:40
5	THE WITNESS: I don't know the	05:52:02	5	Q. Sorry. The GDB 9758 account is	05:54:42
6	exact reasons why slot machine revenues would	05:52:02	6	the account that you would call the transfer	05:54:45
7	be deposited into this account.	05:52:06	7	account, correct?	05:54:47
8	BY MS. MILLER:	05:52:06	8	A. Correct.	05:54:48
9	Q. All right. Do you know	05:52:08	9	Q. Okay. And that's the same account	05:54:51
10	whether -- sorry. I may have asked this again,	05:52:10	10	that we saw the document from the CFO of the	05:54:53
11	but I just want to make sure that I've covered	05:52:13	11	GDB -- of the Tourism Company, rather,	05:54:56
12	it.	05:52:15	12	identifying the concentration surplus, correct?	05:54:59
13	Are any other moneys other than	05:52:16	13	A. Correct.	05:55:01
14	hotel occupancy taxes deposited in the 9758	05:52:19	14	Q. Okay. And the moneys still flow	05:55:02
15	account?	05:52:22	15	into that GDB 9758 account, right?	05:55:05
16	A. No.	05:52:24	16	A. During this time period, money	05:55:14
17	Q. Okay. And looking at this chart,	05:52:25	17	still flows from 5042 to 9758.	05:55:18
18	I don't think I asked you this for CCDA yet,	05:52:29	18	Q. Okay. And then during this time	05:55:24
19	but, again, we see various colors attached to	05:52:32	19	period, all the moneys still flow into the	05:55:25
20	the boxes, right?	05:52:36	20	Scotiabank 5144 account, correct?	05:55:28
21	A. Yes.	05:52:40	21	A. Correct.	05:55:31
22	Q. Okay. So looking at the accounts	05:52:41	22	Q. Okay. And then what moneys during	05:55:31
23	that are reflected in this January '15 to	05:52:46	23	this time period are flowing from the 5144	05:55:33
24	November '15 Flow of Funds chart, just looking	05:52:50	24	account into the 5138 account?	05:55:36
25	by color designation, none of these is a	05:52:53	25	A. Hotel occupancy taxes, among	05:55:48
503			505		
1	Commonwealth account; is that correct?	05:52:58	1	others.	05:55:53
2	A. That's correct.	05:53:04	2	Q. Okay. And do all of the hotel	05:55:54
3	Q. Okay. So during this time period,	05:53:05	3	occupancy taxes flow from 5144 to 5138?	05:55:56
4	none of the hotel occupancy taxes that were	05:53:07	4	A. Would you repeat the question?	05:56:07
5	collected by hoteliers transferred to the	05:53:10	5	Q. Yeah. During this period, do all	05:56:41
6	tourism company ever touched a Commonwealth	05:53:15	6	of the hotel occupancy taxes deposited in 5148	05:56:43
7	account, correct?	05:53:18	7	flow into -- sorry. Let me start again.	05:56:48
8	A. During this time period, that is	05:53:23	8	During this period, do all of the	05:56:51
9	correct.	05:53:28	9	hotel occupancy taxes deposited in 5144 flow	05:56:52
10	Q. Okay. I'm going to turn to the	05:53:28	10	into 5138?	05:56:57
11	next slide in the Flow of Funds, which is	05:53:31	11	A. Yes.	05:57:09
12	December '15 to March 2016.	05:53:36	12	Q. Okay. And do all of the hotel	05:57:11
13	And during this period, the moneys	05:53:52	13	occupancy taxes during this period deposited in	05:57:15
14	continue to be collected by hoteliers, correct?	05:53:56	14	5138 flow into the 006 account?	05:57:18
15	A. Correct.	05:54:02	15	A. No.	05:57:37
16	Q. And where did they transfer the	05:54:03	16	Q. Okay. What hotel occupancy taxes	05:57:45
17	moneys to?	05:54:05	17	do not flow into the 006 account from the 5138	05:57:49
18	A. The Scotiabank Account 5142.	05:54:08	18	account?	05:57:55
19	Q. Okay. And then where did the	05:54:14	19	A. Hotel occupancy taxes funding CCDA	05:57:57
20	money flow after that?	05:54:15	20	operations would flow to that box called	05:58:06
21	A. From there transfers were made at	05:54:22	21	Non-Debt Service Outflow.	05:58:12
22	that time.	05:54:27	22	Q. And are those what are referred to	05:58:15
23	Q. Okay. And the 9758 account, just	05:54:27	23	as the surplus amounts?	05:58:16
24	so that I have your story straight, the 9758	05:54:30	24	A. I'm not certain if they're	05:58:27
25	account is the account that you would call the	05:54:35	25	referred to as surplus amounts or not.	05:58:30

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1	Q. Okay. Are all of the -- I'm just	05:58:32	1	BY MS. MILLER:	06:01:17
2	trying to remember the exact term.	05:58:37	2	Q. Mr. Ahlberg, do you know the	06:01:17
3	Are all of the amounts that are	05:58:40	3	bucket of moneys that I'm referring to? So not	06:01:18
4	required to be transferred into the transfer	05:58:46	4	all hotel occupancy taxes, only that narrower,	06:01:20
5	account flowed into the 006 account?	05:58:49	5	what I think you've referred to as the 3-plus	06:01:26
6	Okay. So let me restate that.	05:59:04	6	million a month that's to be transferred?	06:01:28
7	You don't remember -- do you recall that when	05:59:06	7	A. I understand that that's how	06:01:36
8	we looked at Exhibit 30, which is the	05:59:08	8	you're using the term "required payment."	06:01:38
9	Assignment and Coordination Agreement, there	05:59:10	9	Q. Okay. If you want to attach a	06:01:41
10	was a definition of required payments?	05:59:12	10	different term to it, I'm fine using whatever	06:01:42
11	A. I remember there was a definition	05:59:17	11	term you're most comfortable with.	06:01:45
12	of required payments in that document.	05:59:19	12	A. We can say the monthly payment.	06:01:49
13	Q. Okay. And do you remember that	05:59:22	13	Q. Monthly payment? Okay.	06:01:53
14	that loosely was defined as the monthly 1/10 of	05:59:24	14	Okay. Are all of the monthly	06:01:57
15	the amounts that had to be flowed into the	05:59:29	15	payments, as you use that term -- defined it,	06:02:00
16	transfer account and any deficiency amount?	05:59:32	16	are all of the monthly payments flowed from the	06:02:07
17	A. I believe that's what that	05:59:41	17	5138 account to the GDB 006 account during the	06:02:10
18	document we looked at together said.	05:59:43	18	December '15 to March '16 time period?	06:02:14
19	Q. Okay. So if I refer to the	05:59:45	19	A. Now that I have this time period	06:02:23
20	required payments, will you understand what I	05:59:48	20	presentation in front of me, can you reask the	06:02:25
21	mean?	05:59:59	21	question, please?	06:02:28
22	A. Yes.	05:59:59	22	Q. Now I forgot what you want to call	06:02:30
23	Q. Okay. And just to make it simple,	06:00:00	23	these. Monthly payments? Okay.	06:02:33
24	because I want to make sure that we are talking	06:00:03	24	Are all of the monthly payments	06:02:35
25	about things the same way, if we could just go	06:00:05	25	transferred from the 5138 account to the 006	06:02:41
507			509		
1	back one page in Exhibit 32.	06:00:08	1	account?	06:02:48
2	When I'm talking about the	06:00:13	2	A. Yes.	06:02:48
3	required payments, I'm talking about the	06:00:15	3	Q. Okay. And how do you know that?	06:02:49
4	amounts that flowed from 9758 to 9947. Is that	06:00:17	4	A. Having reviewed these payments,	06:02:51
5	consistent with your understanding?	06:00:24	5	transfer details of those transfers.	06:03:02
6	A. Yes.	06:00:25	6	Q. Okay. And based on that, you were	06:03:05
7	Q. Okay. So we'll call that the	06:00:27	7	able to confirm that all of the monthly	06:03:09
8	required payments going forward.	06:00:30	8	payments were transferred from the 5138 account	06:03:11
9	MS. McKEEN: Objection.	06:00:34	9	to the 006 account, correct?	06:03:15
10	MS. MILLER: What's the objection?	06:00:36	10	A. Correct.	06:03:22
11	MS. McKEEN: You mean the	06:00:39	11	Q. And are all of the hotel occupancy	06:03:22
12	agreement says what it says, and so to the	06:00:40	12	tax monthly payments deposited in the 006	06:03:25
13	extent, you know, you're trying to get the	06:00:42	13	account transferred to the 6048 account during	06:03:28
14	witness to give some form of legal conclusion,	06:00:45	14	this time period?	06:03:31
15	that's the final objection.	06:00:51	15	A. Yes.	06:03:34
16	MS. MILLER: I'm trying to get the	06:00:52	16	Q. Okay. And that 6048 account,	06:03:35
17	witness to have a common understanding with a	06:00:54	17	that's the account we were talking about	06:03:38
18	noncontroversial term that refers to the moneys	06:00:56	18	earlier, correct?	06:03:39
19	that were pledged to the bondholders without	06:00:59	19	A. That is an account that we talked	06:03:40
20	having him give the legal opinion that these	06:01:02	20	about earlier.	06:03:45
21	moneys are pledged to the policyholders, so I'm	06:01:05	21	Q. Okay. And specifically, what	06:03:46
22	going to go with required payments. I think	06:01:08	22	account was this?	06:03:48
23	the witness is comfortable with that and	06:01:10	23	A. An account separate from the TSA,	06:03:53
24	understands what bucket of money I'm talking	06:01:12	24	account 1.	06:03:57
25	about.	06:01:14	25	Q. Okay. What moneys were held in	06:04:00

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1	this account during this time period?	06:04:02	1	January '16 included comingled room tax	06:08:23
2	A. It held -- retained room tax	06:04:06	2	receipts with proceeds from other retained	06:08:28
3	revenues and dollars -- well, not retained.	06:04:12	3	revenues. Do you see that?	06:08:31
4	Q. Okay. And then were all of the	06:04:16	4	A. Yes, I see that.	06:08:32
5	hotel occupancy tax monthly payments that were	06:04:22	5	Q. Do you know whether moneys	06:08:33
6	deposited into 6048 deposited into or back into	06:04:27	6	transferred in January, February or March of	06:08:35
7	the 006 account?	06:04:31	7	2016 were actually used to pay GO Debt Service?	06:08:37
8	A. Yes.	06:04:40	8	A. Could you repeat the question?	06:09:01
9	Q. Do you know whether when the	06:04:41	9	Q. Do you know whether moneys	06:09:03
10	moneys flowed back into the 006 account they	06:04:42	10	transferred in January, February or March of	06:09:05
11	were tagged with a different Fund or accounting	06:04:48	11	2016 were actually used to pay GO Debt Service?	06:09:07
12	designation than when they were previously	06:04:50	12	A. Transfers from which account to	06:09:13
13	transferred into the 006 account?	06:04:53	13	which account?	06:09:15
14	A. I'm not positive to say it's	06:04:58	14	Q. Hotel occupancy tax monthly	06:09:19
15	different funds or designations or not.	06:05:03	15	payments transferred into the GDB 006 account	06:09:21
16	Q. Okay. What would I do to find	06:05:10	16	in January, February and March 2016, do you	06:09:24
17	that out?	06:05:13	17	know if they were actually used to pay GO Debt	06:09:28
18	A. I would review a voucher prepared	06:05:25	18	Service?	06:10:01
19	for transfer.	06:05:28	19	A. We set the revenue from -- room	06:10:01
20	Q. Okay. And then were all of the	06:05:36	20	tax proceeds during this time period was	06:10:04
21	hotel occupancy tax monthly payments that were	06:05:39	21	used -- sorry.	06:10:08
22	retransferred into the 006 account during this	06:05:43	22	The revenue earned in this time	06:10:09
23	period transferred out for GO Debt Service?	06:05:48	23	period was the source of funding for transfers	06:10:11
24	A. Yes.	06:05:58	24	for GO Debt Service.	06:10:17
25	Q. Okay. And, again, do you know	06:06:01	25	Q. Okay. So the footnote indicates	06:10:18
511			513		
1	whether that was actually -- sorry -- whether	06:06:03	1	that it was only for the GO Debt Service	06:10:21
2	that money was actually transferred to third	06:06:08	2	payment in January of 2016. Do you believe	06:10:24
3	parties on account of GO Debt Service?	06:06:11	3	that there were additional GO debt service	06:10:27
4	A. I'm not certain.	06:06:17	4	payments that were funded from these moneys?	06:10:29
5	Q. Okay. Do you have an	06:06:23	5	A. Would you repeat the question,	06:10:46
6	understanding of how much of the -- do you know	06:06:46	6	please?	06:10:48
7	how much of the hotel occupancy tax monthly	06:06:59	7	Q. The footnote indicates that these	06:10:52
8	payments were transferred into the GDB 006	06:07:04	8	moneys were used for the January --	06:10:54
9	account during this time period?	06:07:10	9	January 2016 GO Debt Service.	06:10:58
10	A. Off the top of my head, I don't	06:07:20	10	Do you believe that there were	06:11:01
11	have that number.	06:07:21	11	additional GO Debt Service payments other than	06:11:01
12	Q. Okay. And we spoke a little bit	06:07:23	12	January 2016 that were funded from the hotel	06:11:05
13	about the time frames that were covered during	06:07:30	13	occupancy tax monthly payment reflected in this	06:11:08
14	this -- for the time frames that were	06:07:35	14	Flow of Funds?	06:11:12
15	identified at the top of each of these Flow of	06:07:39	15	A. I was thinking here. Would you	06:11:42
16	Funds.	06:07:46	16	mind repeating the question again?	06:11:45
17	Is it your understanding that this	06:07:46	17	MS. MILLER: Would the court	06:12:14
18	is referring to room tax revenues that were	06:07:47	18	reporter mind reading it back, please?	06:12:17
19	generated and transferred into the Scotiabank	06:07:51	19	(Record read as requested.)	06:12:32
20	5142 account between December 2015 and	06:07:56	20	THE WITNESS: No.	06:12:32
21	March 2016?	06:07:59	21	BY MS. MILLER:	06:12:32
22	A. Yes.	06:08:05	22	Q. So do you believe that the hotel	06:12:34
23	Q. Okay. Footnote 1 to this Flow of	06:08:05	23	occupancy tax monthly payments for January,	06:12:36
24	Funds indicates that transfers from the 006	06:08:18	24	February and March of 2016 that are reflected	06:12:41
25	account to Fund GO Debt Service payment in	06:08:20	25	as flowing into the GDB 006 account and then to	06:12:45

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1	the 6048 account and then to the 006 account	06:12:49	1	A. Yeah, and I just answered that way	06:15:59
2	remain in the TSA today?	06:12:52	2	for my own benefit to make sure I answered	06:16:00
3	A. I don't think of any one transfer	06:13:13	3	correctly.	06:16:03
4	of any kind of funds ever remaining in the TSA	06:13:15	4	Q. Okay. All right. I might try to	06:16:04
5	account. That's not really how I think about	06:13:18	5	ask you the same way.	06:16:07
6	it.	06:13:21	6	Okay. So turning now to	06:16:09
7	Q. Have you seen any document --	06:13:29	7	April 2016, so this one appears pretty simple.	06:16:12
8	sorry.	06:13:31	8	Can you just describe the flow	06:16:21
9	Have you seen any outflow document	06:13:31	9	from the collection of room tax revenues by the	06:16:23
10	after January 2016 indicating a tilt flow of	06:13:33	10	hoteliers?	06:16:28
11	the hotel occupancy tax monthly payment from	06:13:37	11	A. Yes. During April of 2016, room	06:16:31
12	the TSA?	06:13:46	12	tax revenues would have been collected by	06:16:34
13	A. I've seen no other outflow from	06:13:49	13	hoteliers, remitted to Tourism Company, a/k/a	06:16:37
14	the TSA that indicated hotel occupancy taxes as	06:13:52	14	deposited into Scotiabank Account 5142, and	06:16:43
15	a source of revenue of a transfer out of the	06:13:57	15	then transferred to GDB Account 9758.	06:16:47
16	TSA.	06:14:04	16	Q. Okay. And does the fact that the	06:16:53
17	Q. Okay. And during this --	06:14:05	17	Flow of Funds stop here mean that hotel	06:16:56
18	MS. MILLER: I don't have much	06:14:08	18	occupancy tax revenues collected in April 2016	06:17:01
19	more. I am just going to quickly go through	06:14:10	19	remained in the GDB 9758 account?	06:17:05
20	the rest of the Flow of Funds.	06:14:13	20	A. It means that during this time	06:17:12
21	MS. McKEEN: Okay. Thank you.	06:14:14	21	period, there were no transfers out of the 9758	06:17:14
22	MS. MILLER: They do get very	06:14:18	22	account.	06:17:19
23	complicated, though. I'm hoping to not have to	06:14:21	23	Q. Was there a transfer out of the	06:17:22
24	ask about every account. We have a simple one	06:14:23	24	9758 account subsequent to this time period?	06:17:28
25	coming up next.	06:14:25	25	A. No.	06:17:34
515			517		
1	BY MS. MILLER:	06:14:25	1	Q. Okay. So what moneys were	06:17:38
2	Q. And just so that I understand, or	06:14:28	2	deposited were then remaining in the GDB 9758	06:17:40
3	just can you confirm that all of the same hotel	06:14:31	3	account presumably through the GDB's title fix;	06:17:44
4	occupancy tax revenues transferred from	06:14:35	4	is that right?	06:17:50
5	hoteliers flow into the 5142 account and the	06:14:39	5	A. I am not positive. I know that	06:17:50
6	9758 account?	06:14:45	6	account was dealt with in the GDB	06:17:52
7	A. To what time period?	06:14:54	7	restructuring.	06:17:55
8	Q. In the December '15 to March 2016	06:14:55	8	Q. Okay. Were you involved in the	06:17:56
9	period. The Scotiabank 5142 account and the	06:14:58	9	GDB restructuring in any way?	06:17:58
10	GDB 9758 account each have exactly the same	06:15:03	10	A. No.	06:18:02
11	moneys; is that correct? Or let me say that	06:15:08	11	Q. Okay. And, again, during this	06:18:02
12	differently.	06:15:12	12	period, none of the accounts through which the	06:18:04
13	For the December '15 to March 2016	06:15:12	13	hotel occupancy taxes flowed were Commonwealth	06:18:09
14	period, the exact same revenues flow through	06:15:17	14	accounts; is that correct?	06:18:16
15	the Scotiabank 5142 account and the GDB 9758	06:15:22	15	THE REPORTER: I'm sorry. Were	06:18:16
16	account, correct?	06:15:27	16	what?	06:18:20
17	A. Would have been the exact same	06:15:30	17	MS. MILLER: Commonwealth	06:18:22
18	amount that was received into 5142 that was	06:15:32	18	accounts.	06:18:22
19	transferred to 9758.	06:15:37	19	THE REPORTER: Thank you.	06:18:23
20	Q. Okay. Is that different in any	06:15:38	20	THE WITNESS: Correct.	06:18:23
21	way from what I said? I just want to know how	06:15:41	21	BY MS. MILLER:	06:18:23
22	to ask the question precisely going forward.	06:15:47	22	Q. Okay. And again, as with the	06:18:24
23	So if you're drawing a distinction	06:15:50	23	prior period, exactly the same revenues flowed	06:18:27
24	that I'm not attuned to, I just would like to	06:15:52	24	through the 5142 account and the GDB 9758	06:18:31
25	hear what it is.	06:15:55	25	account, correct?	06:18:37

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1	A. It would have been the same amount	06:18:41	1 A. I can't say one way or the other
2	that -- same revenue that was transferred by	06:18:43	2 whether an opening statement would say that or
3	hoteliers to 5142. Transfers for the same	06:18:45	3 not.
4	amount would be in total throughout April to	06:18:50	4 Q. Would you expect any account, any
5	9758.	06:18:56	5 documents related to this account to identify
6	Q. Okay. So now let's go on to the	06:18:57	6 it as the surplus account?
7	next one. It's about to get a lot more	06:18:59	7 MS. McKEEN: Objection.
8	complicated.	06:19:09	8 THE WITNESS: I'm not positive of
9	Okay. So here the hoteliers are	06:19:09	9 documents that would or would not have been
10	collecting taxes, and they're still	06:19:15	10 used to make that determination.
11	transferring them into the Scotiabank 5142	06:19:17	11 BY MS. MILLER:
12	account; is that right?	06:19:20	12 Q. Okay. Have you ever heard this
13	A. Right.	06:19:21	13 account referred to as the sweep concentration
14	Q. And then the money is being	06:19:22	14 account?
15	transferred from the 5142 account into the 5144	06:19:24	15 A. You broke up there right at the
16	account?	06:19:27	16 end.
17	A. Correct.	06:19:28	17 Q. Have you ever seen this account
18	Q. And is it your understanding that	06:19:30	18 referred to as the sweep concentration account?
19	during this period all of the hotel occupancy	06:19:31	19 A. I can't recall if I've seen the
20	taxes were transferred from the 5142 into the	06:19:34	20 account referred to in that way or not.
21	5144 account?	06:19:40	21 Q. What is a sweep concentration
22	A. Yes.	06:19:44	22 account, as you understand it?
23	Q. Okay. And have you seen	06:19:44	23 A. I'm not certain of exactly what
24	account-opening documents for the 5144 account?	06:19:45	24 that name -- the name of an account like that
25	A. No, I have not personally seen	06:19:53	25 would indicate.
519		521	
1	them.	06:19:55	1 Q. Are you aware of any other
2	Q. Okay. Do you know whether anybody	06:19:55	2 accounts called sweep concentration accounts
3	on your team has?	06:19:56	3 within the Commonwealth or instrumentality?
4	A. I don't recall if anyone on the	06:20:00	4 A. No.
5	team has or not. I believe you could look at	06:20:02	5 Q. No. Have you ever heard that term
6	the document we reviewed together earlier to	06:20:05	6 with respect to the Tourism Company?
7	know for certain.	06:20:08	7 A. I just can't recall. People use
8	Q. Okay. Would you expect account	06:20:09	8 the term "sweep" and "concentration" very
9	documents related to the 5144 account to	06:20:14	9 loosely when referring to different accounts.
10	identify it as the surplus account?	06:20:16	10 MS. MILLER: Okay. I would like
11	A. I'm not certain of what documents	06:20:22	11 to mark as the next exhibit tab 2134, please.
12	would or would not be used to identify the	06:20:26	12 (Monolines Exhibit 36 is
13	surplus account.	06:20:31	13 introduced for the record.)
14	Q. Well, I'm just asking if you -- we	06:20:37	14 THE WITNESS: Excuse me. Could we
15	saw the pledge account document. It called the	06:20:39	15 make a 2-minute break? I just drank a bunch of
16	account the pledge account.	06:20:41	16 coffee with coffee grounds with it.
17	Would you expect the account	06:20:43	17 MS. MILLER: Sure. I'll let you
18	documents related to this account to call it	06:20:45	18 take it even though there's a question pending.
19	the surplus account?	06:20:47	19 Let's go off the record.
20	A. I'm not certain what every	06:20:52	20 THE VIDEOGRAPHER: We are off the
21	documented related to this account named the	06:20:54	21 record at 6:24 p.m.
22	account.	06:20:59	22 (Recess taken.)
23	Q. I'm asking you if you would expect	06:21:00	23 THE VIDEOGRAPHER: We are back on
24	the account-opening documents to designate a	06:21:00	24 the record at 6:25 p.m.
25	surplus account.	06:21:08	25

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1	BY MS. MILLER:	06:24:45	1	A. Yes, I see that on the document.	06:27:55
2	Q. Okay. So you have in front of you	06:25:00	2	Q. Okay. And is that the account	06:27:57
3	a document that was marked Monolines	06:25:02	3	that is referred to in your Flow of Funds	06:27:58
4	Exhibit 36.	06:25:04	4	document as the Scotiabank 5144 account?	06:28:00
5	Do you see that?	06:25:06	5	A. Yes.	06:28:07
6	A. I see the document.	06:25:06	6	Q. Okay. And do you see the next	06:28:07
7	Q. Yeah. Is this a document that	06:25:12	7	column over says:	06:28:10
8	you've seen before?	06:25:13	8	Number de la cuenta?	06:28:16
9	A. Is there a certified English	06:25:20	9	A. Yes.	06:28:16
10	translation?	06:25:22	10	Q. And do you understand that to mean	06:28:17
11	Q. I'm not sure. The answer is	06:25:23	11	name of the account?	06:28:19
12	maybe. I don't think that what I'm going to	06:25:38	12	A. Yes.	06:28:22
13	have to do requires knowledge of Spanish.	06:25:46	13	Q. Okay. And the name of the account	06:28:22
14	Other -- okay. There is a certified English	06:25:52	14	that's attributed to the 5144 account, can you	06:28:28
15	translation. Do we want to wait for it?	06:25:54	15	just read what it's called in this document?	06:28:31
16	A. If you could.	06:26:10	16	A. This document lists the name of	06:28:35
17	Q. Sounds like your Spanish is a lot	06:26:11	17	that account as "sweep concentration."	06:28:37
18	better than mine. If you need the English	06:26:15	18	Q. Okay. It doesn't list a surplus,	06:28:42
19	translation, just let me know, and I'll stop	06:26:17	19	does it?	06:28:45
20	and wait for that to be found.	06:26:20	20	A. The document says "sweep	06:28:48
21	A. Fair enough.	06:26:22	21	concentration."	06:28:49
22	Q. So do you recognize Exhibit 36 as	06:26:23	22	Q. Okay. And looking at the May '16	06:28:51
23	a corporate resolution of the Tourism Company	06:26:27	23	to July '16 Flow of Funds, in fact, none of the	06:28:59
24	of Puerto Rico?	06:26:30	24	accounts identified in this Flow of Funds is a	06:29:04
25	A. I see that's (indiscernible) --	06:26:36	25	Commonwealth account, is it?	06:29:08
523			525		
1	THE REPORTER: I'm sorry. You	06:26:45	1	A. Could we have the Flow of Funds	06:29:19
2	broke up. The witness, your answer totally	06:26:48	2	presentation during the --	06:29:22
3	broke up for me. Sorry.	06:26:49	3	Q. Oh, sorry, yes. I'm sorry.	06:29:23
4	THE WITNESS: Sure. I said:	06:26:50	4	We are not in hard copy. I forgot. Yes. Can	06:29:26
5	Yes, I see that's what the	06:26:51	5	we -- that was not a memory test.	06:29:31
6	document says.	06:26:52	6	MS. MILLER: Can we pull up	06:29:33
7	THE REPORTER: Thank you.	06:26:53	7	Exhibit 32 again, please.	06:29:34
8	BY MS. MILLER:	06:26:53	8	Thank you. It wasn't a trick, I	06:29:35
9	Q. Okay. And you see that it lists a	06:26:55	9	promise.	06:29:44
10	number of Tourism Company bank accounts in a	06:26:57	10	A. No problem.	06:29:49
11	chart starting about halfway through?	06:27:02	11	BY MS. MILLER:	06:29:50
12	A. Yes, I see that.	06:27:05	12	Q. I'm old school. My desk is filled	06:29:50
13	Q. Could we magnify the exhibit a	06:27:09	13	with the exhibits. I kind of assumed yours was	06:29:54
14	little bit? I think it's very hard to see the	06:27:12	14	too.	06:29:56
15	numbers. They're running together a little	06:27:15	15	MS. MILLER: Was there anyone	06:30:13
16	bit.	06:27:15	16	else -- did you want me to pull up the	06:30:13
17	A. Does that help?	06:27:25	17	certified English translation? I'm happy to	06:30:15
18	Q. If you have magnified it on your	06:27:26	18	attach it to the exhibit that we marked just so	06:30:18
19	end. I have a hard copy that is slightly	06:27:26	19	we have it on a going forward basis, but unless	06:30:23
20	larger on my end. So if you can see it...	06:27:32	20	anybody wants to see it right now, I was going	06:30:27
21	A. I can see it.	06:27:32	21	to go back to the Flow of Funds document.	06:30:29
22	Q. Okay. Great. So do you see that	06:27:33	22	MS. McKEEN: I think we are okay.	06:30:38
23	the first account that's identified is the	06:27:36	23	MS. MILLER: Okay. Great, thank	06:30:40
24	Scotiabank of Puerto Rico account	06:27:39	24	you.	06:30:40
25	Redacted 5144?	06:27:50	25		

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526			528		
1	BY MS. MILLER:	06:30:43	1	collected by hoteliers, right?	06:33:35
2	Q. Okay. So let me just ask my	06:30:44	2	And in those periods, the moneys	06:33:38
3	question again.	06:30:45	3	are transferred by the hoteliers into the	06:33:40
4	Looking at the Flow of Funds from	06:30:45	4	Scotiabank 5142 account, correct?	06:33:43
5	May '16 to July 2016, none of the accounts	06:30:47	5	A. Correct.	06:33:46
6	identified in this Flow of Funds is a	06:30:50	6	Q. Okay. And my question is going to	06:33:47
7	Commonwealth account, correct?	06:30:53	7	be -- and I'm happy to go back and forth as	06:33:51
8	A. Correct.	06:31:00	8	much as you want, but my question is going to	06:33:54
9	Q. And looking forward to the August	06:31:01	9	be are exactly the same moneys -- so I don't	06:33:57
10	'16 to February of 2017 account -- sorry --	06:31:03	10	mean like actual dollars but the same revenue	06:34:02
11	Flow of Funds, here the room tax revenues	06:31:07	11	streams, hotel occupancy taxes, that flow into	06:34:07
12	collected by the hoteliers are still being	06:31:22	12	the GDB 9758 account in the January 2015 to	06:34:14
13	transferred into the Scotiabank 5142 account;	06:31:25	13	November 2015 period -- sorry. Let me just ask	06:34:18
14	is that right?	06:31:29	14	it more simply.	06:34:23
15	A. Correct.	06:31:29	15	Are the hotel occupancy tax	06:34:25
16	Q. And during this period, the money	06:31:31	16	revenues that flow into the GDB 9758 account	06:34:27
17	is now flowing next into the BPPR 2306 account;	06:31:34	17	from January '15 to November '15 the same hotel	06:34:31
18	is that right?	06:31:41	18	occupancy tax revenues that flow into the	06:34:36
19	A. Correct.	06:31:41	19	BPPR 2306 account in the August '16 to February	06:34:38
20	Q. Okay. What's your understanding	06:31:43	20	'17 period?	06:34:44
21	of what the BPPR 2306 account is?	06:31:48	21	A. They're inherently not the same	06:34:57
22	A. This account in this time period,	06:32:02	22	revenues because they're revenues from	06:34:59
23	this account is used to transfer monthly	06:32:03	23	different time periods, but from August 2016 to	06:35:03
24	payments to BPPR 6545.	06:32:07	24	February 2017, there are approximately	06:35:07
25	Q. Okay. So just looking back to the	06:32:14	25	\$3 million monthly amounts being transferred	06:35:10
527			529		
1	January '15 to November 2015 period, that	06:32:16	1	from Account 2360 to BPPR 6545.	06:35:14
2	BPPR 2306 account is now taking the place of	06:32:22	2	Q. Okay. Are all of the hotel	06:35:20
3	the GDB 9758 account; is that right?	06:32:27	3	occupancy taxes collected between August '16	06:35:23
4	UNIDENTIFIED SPEAKER: Objection.	06:32:37	4	and February '17 transferred from 5142 to	06:35:26
5	THE WITNESS: It's not one -- one	06:32:40	5	BPPR 2306?	06:35:34
6	account -- accounts don't replace accounts in	06:32:42	6	A. Yes.	06:35:34
7	that way. I don't think about it like that.	06:32:45	7	Q. And that's the same as the Flow of	06:35:34
8	BY MS. MILLER:	06:32:45	8	Funds from 5142 to GDB 9758 in the January '15	06:35:38
9	Q. Okay. Well, when the GDB ceases	06:32:49	9	to November '15 period, correct?	06:35:43
10	to exist and you have to open an account in a	06:32:51	10	A. Thank you for allowing me to flip	06:36:14
11	new bank, wouldn't you think about it in that	06:32:54	11	back. Would you mind repeating the question	06:36:16
12	way?	06:32:57	12	now that I've had a chance to look at this?	06:36:19
13	MS. McKEEN: Objection.	06:32:57	13	Q. Yeah. That flow of all of the	06:36:22
14	BY MS. MILLER:	06:32:57	14	hotel occupancy taxes from 5142 to BPPR 2306 is	06:36:24
15	Q. Okay. So let me just -- and I	06:32:59	15	the same Flow of Funds, although in two	06:36:30
16	don't know, is there a way to split the screen	06:33:01	16	different accounts that we saw in January '15	06:36:33
17	on the exhibit so that you can look at both the	06:33:04	17	to November '15.	06:36:35
18	January 2015 to November 2015 and August 2016	06:33:09	18	So all of the hotel occupancy	06:36:37
19	to February 2016 Flow of Funds side by side?	06:33:14	19	taxes go from 5142 into the next account, and	06:36:38
20	A. I don't know.	06:33:21	20	at that time period it was GDB 9758, correct?	06:36:43
21	Q. The message from people who know	06:33:22	21	A. Correct.	06:36:47
22	say there is not. That's the definitive	06:33:25	22	Q. Okay. And then you indicated that	06:36:51
23	answer. So okay. All right.	06:33:28	23	it's about 3-plus million during the	06:36:53
24	So the first one will be easy	06:33:30	24	August 16th to February 17th period that goes	06:36:57
25	because we still start with room taxes being	06:33:33	25	from the BPPR 2306 down to the BPPR 6545,	06:36:59

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<p>530</p> <p>1 correct? 06:37:05</p> <p>2 A. Correct. 06:37:05</p> <p>3 Q. Okay. And that is the same 06:37:07</p> <p>4 proportional amount -- or not proportional 06:37:09</p> <p>5 amount but the same dollar amount flowed each 06:37:13</p> <p>6 month that flowed during the January '15 to 06:37:17</p> <p>7 November '15 time period from the GDB 9758 06:37:19</p> <p>8 account to the GDB 9947 account, correct? 06:37:25</p> <p>9 A. The payments were approximately 06:37:29</p> <p>10 the same amount. 06:37:30</p> <p>11 Q. Okay. And did the same 06:37:32</p> <p>12 approximate amount flow from the 9758 account 06:37:38</p> <p>13 to the Scotiabank 5144 account in both time 06:37:41</p> <p>14 period, so in January '15 to November '15 and 06:37:44</p> <p>15 in August '16 to February '17? 06:37:48</p> <p>16 A. Okay. Could you repeat that 06:38:00</p> <p>17 question, please? 06:38:02</p> <p>18 Q. Yeah. Did the same amount of 06:38:02</p> <p>19 hotel occupancy taxes or the same, yeah, 06:38:04</p> <p>20 relative surplus amount of hotel occupancy 06:38:06</p> <p>21 taxes flow from the 2306 account to the 5144 06:38:09</p> <p>22 account and from the 9758 account to the 5144 06:38:15</p> <p>23 account in the August '16 to February '17 and 06:38:20</p> <p>24 January '15 to November '15 periods 06:38:25</p> <p>25 respectively? 06:38:29</p>	<p>532</p> <p>1 more errors further complicating things. 06:40:18</p> <p>2 So let me start by asking: 06:40:20</p> <p>3 Hoteliers still collect the taxes, correct? 06:40:22</p> <p>4 A. Yes. 06:40:26</p> <p>5 Q. In the March '17 to January '18 06:40:27</p> <p>6 period. After collecting the taxes, they 06:40:30</p> <p>7 continued to transfer those moneys to the 06:40:33</p> <p>8 Scotiabank 5142 account, correct? 06:40:36</p> <p>9 A. Correct. 06:40:39</p> <p>10 Q. Okay. What moneys flowed from the 06:40:40</p> <p>11 5142 account to the 6545 account during this 06:40:49</p> <p>12 period? 06:40:53</p> <p>13 A. During this time period, the 06:40:58</p> <p>14 approximately \$3 million per month is 06:41:01</p> <p>15 transferred from 5142 to 6545. 06:41:03</p> <p>16 Q. Okay. And what moneys are 06:41:08</p> <p>17 transferred from 5142 to 2306? 06:41:10</p> <p>18 A. It depends. I think at this time 06:41:21</p> <p>19 account 5142 had some maximum dollar threshold 06:41:25</p> <p>20 limits, and so then amounts received from 06:41:29</p> <p>21 hoteliers that exceed those limits, Scotiabank 06:41:34</p> <p>22 5142 transferred those funds to 2306, assuming 06:41:42</p> <p>23 they're in excess of the \$3 million monthly 06:41:45</p> <p>24 payments made to 6545. 06:41:50</p> <p>25 Q. Got it. And then -- okay. And 06:41:54</p>
<p>531</p> <p>1 A. Yes. 06:38:30</p> <p>2 Q. And, again, looking at the August 06:38:34</p> <p>3 '15 to February '17 Flow of Funds, none of 06:38:38</p> <p>4 these accounts is a Commonwealth account, 06:38:40</p> <p>5 correct? 06:38:47</p> <p>6 A. Correct. 06:38:47</p> <p>7 Q. Okay. And is it your 06:38:48</p> <p>8 understanding that the moneys transferred into 06:38:50</p> <p>9 the BPPR 6545 account during this time period 06:38:53</p> <p>10 remain in that account? 06:38:58</p> <p>11 A. During this time period, there 06:39:05</p> <p>12 were no transfers out of the account. 06:39:07</p> <p>13 Q. Okay. In a couple of flows, we 06:39:15</p> <p>14 are going to get to transfer out of that 06:39:20</p> <p>15 account into a First Bank 3961 account, so I'm 06:39:24</p> <p>16 happy to flip forward to the February 2018 to 06:39:29</p> <p>17 the present Flow of Funds. 06:39:32</p> <p>18 When the transfers were made 06:39:45</p> <p>19 during this period, were all of the moneys that 06:39:46</p> <p>20 were previously deposited into the BPPR 6545 06:39:48</p> <p>21 account deposited into the First Bank account? 06:39:52</p> <p>22 A. Yes. 06:40:03</p> <p>23 Q. Okay. So we skipped over one. I 06:40:04</p> <p>24 just want to go back to the March '17 to 06:40:08</p> <p>25 January '18 Flow of Funds, and here there are 06:40:11</p>	<p>533</p> <p>1 then what moneys are transferred to the 5144 06:41:58</p> <p>2 account from the -- sorry. 06:42:00</p> <p>3 What moneys are transferred from 06:42:05</p> <p>4 the 5142 account to the 5144 account? 06:42:07</p> <p>5 A. To the -- the surplus of hotelier 06:42:12</p> <p>6 room tax revenue is remitted to 5142. So 06:42:22</p> <p>7 hoteliers remit room taxes to 5142, and the 06:42:27</p> <p>8 monthly payment going to 6545. And in this 06:42:31</p> <p>9 flow it's the same kinds of revenue that would 06:42:36</p> <p>10 go from 5142 to 2306 or directly to 5144, just 06:42:39</p> <p>11 depending on the cash management system and the 06:42:45</p> <p>12 way this -- the account maximum balance 06:42:47</p> <p>13 threshold worked. 06:42:51</p> <p>14 Q. And do you have an understanding 06:42:58</p> <p>15 of why approximately \$3 million a month was 06:42:59</p> <p>16 transferred from 5142 to 6545? 06:43:02</p> <p>17 MS. McKEEN: Objection. 06:43:08</p> <p>18 THE WITNESS: I don't know why the 06:43:16</p> <p>19 exact amount was -- is that amount, it would 06:43:17</p> <p>20 transfer. 06:43:21</p> <p>21 BY MS. MILLER: 06:43:21</p> <p>22 Q. But do you know why the money was 06:43:24</p> <p>23 being separated in this way and certain amounts 06:43:26</p> <p>24 transferred to 6545 and other amounts to 5144? 06:43:28</p> <p>25 MS. McKEEN: I'll articulate the 06:43:47</p>

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1	same objections as I did yesterday and made	06:43:49	1	Q. As well as any moneys that have	06:46:34
2	clear that the witness wasn't supposed to be	06:43:51	2	previously been transferred into the BPPR 6545	06:46:36
3	giving testimony about why the Commonwealth	06:43:53	3	account, correct?	06:46:40
4	took certain actions. So, like I did	06:43:56	4	A. Yes.	06:46:41
5	yesterday, I'm going to instruct the witness	06:43:58	5	Q. Okay. And then moneys are	06:46:43
6	not to answer the question.	06:43:59	6	transferred into the First Bank 2984 account.	06:46:48
7	BY MS. MILLER:	06:43:59	7	Do you see that?	06:46:51
8	Q. Okay. So let me ask you, then:	06:44:01	8	A. Yes.	06:46:53
9	Is that a question that you could	06:44:03	9	Q. What is the 2984 account?	06:46:54
10	answer but for the objection of your counsel?	06:44:05	10	A. This is an account into which the	06:47:00
11	A. I'm not positive.	06:44:14	11	interest earned on deposits was transferred.	06:47:03
12	Q. Okay. Okay. So looking at the	06:44:21	12	Q. Okay. So does that mean that the	06:47:13
13	next sheet in the Flow of Funds, the next Flow	06:44:24	13	principal amounts remained in the 3961 account	06:47:17
14	of Funds part, this is February 2018 to the	06:44:31	14	and only interest amounts earned flowed into	06:47:23
15	present.	06:44:39	15	the 2984 account?	06:47:26
16	And the first part corresponds to	06:44:44	16	A. Yes.	06:47:29
17	the Flow of Funds that we saw previously from	06:44:49	17	Q. Okay. So what is the First Bank	06:47:29
18	March '17 to January '18. I'm happy to go back	06:44:53	18	3961 account?	06:47:36
19	to that if it doesn't look visually the same to	06:44:57	19	A. An account at this time that's	06:47:39
20	you. I'm going to limit my questions to the	06:45:02	20	being used to accumulate the approximately	06:47:41
21	bottom account.	06:45:04	21	\$3 million monthly payment.	06:47:44
22	A. Okay.	06:45:08	22	Q. Okay. And do you know if this	06:47:46
23	Q. Mr. Ahlberg, do you want to go	06:45:09	23	account has a name?	06:47:48
24	back, or are you sufficiently familiar with	06:45:13	24	A. I don't know off the top of my	06:47:52
25	these to understand that the top two lines are	06:45:16	25	head if this account has a name or not.	06:47:55
535			537		
1	the top two rows of transfer focusing?	06:45:18	1	Q. Do you know if this is a debt	06:47:57
2	A. I understand they're the same.	06:45:24	2	service reserve account?	06:47:58
3	Q. Okay. So just looking at the	06:45:26	3	A. Again, I'm just not certain of the	06:48:06
4	bottom, the three accounts designated in the	06:45:29	4	name of this account or not.	06:48:09
5	bottom row here, so moneys go from -- let's	06:45:33	5	Q. Okay. So you know the name of a	06:48:13
6	start at the beginning again.	06:45:38	6	whole lot of BPPR accounts, but you don't know	06:48:15
7	The hoteliers collect the room	06:45:39	7	the name of this account?	06:48:19
8	taxes, they then transfer them to Scotiabank	06:45:41	8	UNIDENTIFIED SPEAKER: Objection.	06:48:20
9	5142 account, and that's something that's	06:45:46	9	MS. McKEEN: Objection,	06:48:21
10	consistent throughout the time period covered	06:45:50	10	argumentative.	06:48:21
11	by all of these Flow of Funds, correct?	06:45:52	11	BY MS. MILLER:	06:48:21
12	A. Correct.	06:45:55	12	Q. It's just a yes or no.	06:48:23
13	Q. And then the 3-plus million is	06:45:55	13	MS. McKEEN: It would be nice if	06:48:27
14	then transferred from the 5142 account to the	06:45:56	14	you can ask questions. It's been a very long	06:48:28
15	BPPR 6545 account, correct?	06:45:59	15	day for us.	06:48:32
16	A. Correct.	06:46:03	16	MS. MILLER: Can we pull up tab	06:48:32
17	Q. Okay. And then moneys flow to the	06:46:04	17	2124, please.	06:48:34
18	First Bank 3961 account, correct?	06:46:08	18	BY MS. MILLER:	06:48:36
19	A. During this time period, that's	06:46:13	19	Q. Have you ever seen any account	06:48:36
20	correct.	06:46:15	20	statements for this FirstBank 3961 account?	06:48:37
21	Q. Okay. And what moneys flowed into	06:46:15	21	A. I believe so, but I can't recall	06:48:45
22	the First Bank 3961 account?	06:46:18	22	looking at these specific ones off the top of	06:48:46
23	A. The approximately 3 million	06:46:28	23	my head.	06:48:50
24	monthly payments would be transferred into the	06:46:29	24	Q. Okay. So while we are pulling up	06:48:50
25	First Bank 3691 account.	06:46:31	25	that exhibit, the last transfer that we haven't	06:48:57

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1	spoken about on this Flow of Funds is a	06:49:02	1	Funds presentation page?	06:52:28
2	\$15 million, quote, discrete one-time transfer	06:49:06	2	Q. Oh. Yes, before we do that, let's	06:52:33
3	to the BPPR 9458 account. Do you see that?	06:49:09	3	just do -- I'll come back to that question.	06:52:37
4	A. I don't see that on my screen, but	06:49:15	4	While we have Monolines Exhibit 37 up.	06:52:40
5	I do know the transfer you're referring to.	06:49:20	5	(Monolines Exhibit 37 is	06:52:40
6	Q. Sorry. Okay. I think it might be	06:49:27	6	introduced for the record.)	06:52:40
7	sufficiently long -- my headset's dying. Okay.	06:49:30	7	BY MS. MILLER:	06:52:40
8	What is that \$15 million transfer?	06:49:34	8	Q. I've marked as Monolines	06:52:45
9	A. It's a transfer from the FirstBank	06:49:39	9	Exhibit 37 a statement of account from the	06:52:47
10	account to a Commonwealth account.	06:49:42	10	FirstBank account.	06:52:49
11	Q. And what was that transfer for?	06:49:46	11	Do you see that?	06:52:57
12	A. The -- I believe the transfers for	06:49:52	12	A. Yes.	06:52:57
13	the Renew Your School program, I think it's	06:49:57	13	Q. And this is the -- looking for the	06:52:58
14	called.	06:50:03	14	account number. Okay, so the account number is	06:53:04
15	Q. Okay. And do you know whether	06:50:10	15	3961. This is from the FirstBank 3961 account.	06:53:07
16	that transfer of \$15 million came from the	06:50:12	16	Do you see that? It's on the	06:53:18
17	hotel occupancy tax monthly payment?	06:50:20	17	left-hand side. It starts with 0 star on the	06:53:19
18	A. Yes.	06:50:33	18	upper -- sorry -- upper right-hand side starts	06:53:22
19	Q. And did it?	06:50:34	19	with 0 star, 03.	06:53:27
20	A. Yes.	06:50:37	20	A. Yes, I see that. Thank you.	06:53:32
21	Q. Do you know when that payment was	06:50:40	21	Q. Okay. So you see this is the 3961	06:53:34
22	made?	06:50:45	22	bank account, correct?	06:53:37
23	A. When the \$15 million transfer was	06:50:47	23	A. Yes.	06:53:38
24	made?	06:50:49	24	Q. And you see on the left-hand side	06:53:38
25	Q. Yeah.	06:50:50	25	the statement of account is directed to the	06:53:40
539			541		
1	A. I can't recall if I had this	06:50:51	1	Tourism Company?	06:53:42
2	specific date. We may have (indiscernible).	06:51:10	2	A. Yes.	06:53:48
3	THE REPORTER: I'm sorry. I'm	06:51:10	3	Q. And then it says Debt Service	06:53:49
4	sorry, Mr. Witness. You just broke up in your	06:51:12	4	Reserve. Do you see that?	06:53:51
5	answer. Can you repeat that, please?	06:51:13	5	A. I see that.	06:53:53
6	THE WITNESS: I don't remember	06:51:21	6	Q. And do you understand that to be	06:53:53
7	specifically what I said other than clarifying	06:51:21	7	the name of this account?	06:53:55
8	that I'm not positive off the top of my head	06:51:26	8	A. That's what this statement says.	06:54:01
9	the exact date of that \$15 million transfer.	06:51:28	9	Q. Okay. So let's pull up Exhibit 32	06:54:04
10	BY MS. MILLER:	06:51:28	10	again. And let's just look at the last page.	06:54:08
11	Q. Are there any moneys, Mr. Ahlberg,	06:51:32	11	Okay. So while we are waiting for	06:55:16
12	in this FirstBank 3961 account that are not	06:51:34	12	the last page of Exhibit 32 to be pulled up,	06:55:17
13	from this 3-plus million monthly transfers of	06:51:37	13	I'm just going to check what my question was.	06:55:20
14	hotel occupancy taxes?	06:51:41	14	Okay. So with Exhibit 32 back in	06:55:44
15	A. No.	06:51:46	15	front of you, can you tell me what kind of	06:55:47
16	Q. Okay. And what is the BPPR 9458	06:51:52	16	Commonwealth account this is or what kind of	06:55:50
17	account?	06:51:59	17	account the BPPR 9458 account is?	06:55:52
18	A. Can you clarify what you mean by	06:52:08	18	A. I believe that's the TSA	06:56:03
19	"What is that account?"	06:52:11	19	operational account at this time.	06:56:05
20	Q. Yeah, you said it's a Commonwealth	06:52:12	20	Q. And how do you know that the	06:56:12
21	account. And it indicates that it has	06:52:14	21	moneys were transferred in for the Renew Your	06:56:14
22	comingled funds.	06:52:14	22	School program?	06:56:19
23	Were there funds held in this	06:52:20	23	A. I have reviewed documents	06:56:27
24	account held for a particular purpose?	06:52:22	24	recording the \$15 million transfer that	06:56:41
25	A. Can we pull up that last Flow of	06:52:25	25	referenced the Renew Your School program.	06:56:45

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1	Q. And do you know whether they were	06:56:48	1	more outflow documents with respect to these	06:59:55
2	identified when transferred into the 9458	06:56:51	2	hotel occupancy taxes that were transferred	06:59:58
3	account with any particular accounting or other	06:56:57	3	into the BPPR 9458 account during the February	07:00:00
4	designation, Fund or account designation that	06:57:01	4	'18 to the present time period, you would have	07:00:05
5	would specifically allocate them to the Renew	06:57:04	5	indicated that on this chart in the next step	07:00:08
6	Your School program?	06:57:08	6	of the Flow of Funds, wouldn't you?	07:00:11
7	A. I'm not certain of the exact	06:57:12	7	A. Would you mind repeating the	07:00:43
8	accounting treatment that was used to record	06:57:15	8	question?	07:00:45
9	that transfer.	06:57:16	9	Q. Yeah, let me rephrase it.	07:00:46
10	Q. Okay. But you believe that there	06:57:18	10	Does the fact that there is no	07:00:50
11	is some indication in the transfer document	06:57:20	11	subsequent transfer identified on the February	07:00:51
12	that specified that these moneys are for the	06:57:25	12	'18 to present Flow of Funds mean that you did	07:00:55
13	Renew Your School program?	06:57:27	13	not see any outflow documents from the 9458	07:00:59
14	A. I believe so, yes.	06:57:32	14	account that specifically identified the hotel	07:01:04
15	Q. Okay. And do you know whether	06:57:35	15	occupancy taxes as the revenue source?	07:01:07
16	those moneys were ever transferred from the TSA	06:57:36	16	A. I have not certainly seen a	07:01:31
17	operational account to a third party or	06:57:42	17	document that would indicate a transfer out of	07:01:33
18	another -- sorry, let me just ask simply:	06:57:47	18	the TSA indicating the revenue source was the	07:01:36
19	Do you know whether those moneys	06:57:50	19	\$15 million of hotel taxes.	07:01:44
20	were ever transferred out of the TSA	06:57:51	20	MS. McKEEN: Atara, we have been	07:01:53
21	operational account?	06:57:54	21	going for about two hours. It's been about an	07:01:54
22	A. I'm not certain if there was or	06:58:25	22	hour since you said you were going to try to	07:01:59
23	was not an outflow from the TSA account for the	06:58:27	23	wrap it up. So what's the plan here?	07:02:02
24	Renew Your School program.	06:58:32	24	MS. MILLER: So I have over -- I	07:02:05
25	Q. Okay. You did not see any	06:58:35	25	have 13 hours. Okay. So I have one more	07:02:08
543			545		
1	outflows indicating that these transfer hotel	06:58:38	1	question and then I was going to call a break	07:02:11
2	occupancy taxes were moving out of the TSA, did	06:58:44	2	and caucus and hopefully just end.	07:02:13
3	you?	06:58:54	3	MS. McKEEN: Okay. So let's have	07:02:17
4	A. No, but as soon as the \$15 million	06:58:54	4	one more question, then.	07:02:19
5	is transferred to the TSA, it's comingled and	06:58:58	5	BY MS. MILLER:	07:02:19
6	indistinguishable from other dollars.	06:59:01	6	Q. Okay. So looking back at the	07:02:20
7	Q. Right. But as we saw previously,	06:59:04	7	January '15 to November '15 Flow of Funds, back	07:02:23
8	there was an outflow identifying the revenue	06:59:06	8	a few pages in Exhibit 32, are there any	07:02:32
9	source of the hotel occupancy tax. You would	06:59:10	9	outflows from the 9758 account that are not	07:02:38
10	be able to see that, correct?	06:59:14	10	reflected on this chart?	07:02:47
11	UNIDENTIFIED SPEAKER: Objection.	06:59:16	11	A. It is possible that there's a	07:03:00
12	THE WITNESS: I can't speculate	06:59:22	12	one-off transaction that's not captured that's	07:03:03
13	one way or the other.	06:59:23	13	intended as a summary document to show the	07:03:09
14	BY MS. MILLER:	06:59:23	14	general Flow of Funds during this time period.	07:03:11
15	Q. Well, we looked at a number of	06:59:33	15	MS. MILLER: So, Liz, I lied. I	07:03:18
16	documents where you identified the ability to	06:59:34	16	said I had one question. I had two. I've been	07:03:20
17	know that it was particular revenues from	06:59:38	17	saving this one for a long time.	07:03:22
18	comingled accounts because there were	06:59:40	18	MS. McKEEN: I knew it wouldn't be	07:03:25
19	accounting or other documents that so	06:59:42	19	one.	07:03:30
20	designated them on the outflow side.	06:59:45	20	BY MS. MILLER:	07:03:30
21	Do you recall that?	06:59:48	21	Q. Mr. Ahlberg, you indicated that	07:03:31
22	MS. McKEEN: Objection.	06:59:50	22	you were confident that the GDB 9758 account	07:03:33
23	THE WITNESS: Yes.	06:59:51	23	was the transfer account based on how -- the	07:03:39
24	BY MS. MILLER:	06:59:51	24	moneys that flowed into it.	07:03:42
25	Q. Okay. And if you had seen some	06:59:52	25	Can you explain to me what about	07:03:45

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<p style="text-align: right;">546</p> <p>1 the GDB 9758 account makes you confident that 07:03:47</p> <p>2 it is the transfer account? 07:03:52</p> <p>3 A. After discussions with the Tourism 07:04:02</p> <p>4 Company, I'm confident that that's the transfer 07:04:04</p> <p>5 account. 07:04:08</p> <p>6 Q. So there is nothing specific about 07:04:12</p> <p>7 the nature of the moneys that flowed into it, 07:04:14</p> <p>8 how the account was used or any documents that 07:04:19</p> <p>9 makes you confident that it's the transfer 07:04:23</p> <p>10 account. It's based exclusively on 07:04:26</p> <p>11 conversations that you had with Gustavo? 07:04:28</p> <p>12 MS. McKEEN: Object to the form. 07:04:33</p> <p>13 THE WITNESS: Would you repeat 07:04:49</p> <p>14 that question? 07:04:50</p> <p>15 MS. MILLER: Could the court 07:04:53</p> <p>16 reporter read it back, please. 07:04:54</p> <p>17 (Record read as requested.)</p> <p>18 "So there is nothing specific</p> <p>19 about the nature of the moneys</p> <p>20 that flowed into it, how the</p> <p>21 account was used or any</p> <p>22 documents that makes you</p> <p>23 confident that it's the</p> <p>24 transfer account. It's based</p> <p>25 exclusively on conversations</p>	<p style="text-align: right;">548</p> <p>1 THE VIDEOGRAPHER: We are back on 07:14:54</p> <p>2 the record at 7:16 p.m. 07:15:40</p> <p>3 MS. MILLER: Mr. Ahlberg, we have 07:15:44</p> <p>4 no further questions for you. 07:15:45</p> <p>5 I want to thank you for your time 07:15:46</p> <p>6 today and on Tuesday and the hard work you put 07:15:49</p> <p>7 into preparing the Flow of Funds documents. 07:15:51</p> <p>8 THE WITNESS: Thank you, Madam. 07:15:55</p> <p>9 EXAMINATION 07:15:57</p> <p>10 BY MS. McKEEN: 07:15:57</p> <p>11 Q. Thank you, Mr. Ahlberg. I just 07:16:00</p> <p>12 have a couple of questions for you, and I will 07:16:02</p> <p>13 now also thank you for your time. 07:16:05</p> <p>14 MS. McKEEN: Atara, if your 07:16:08</p> <p>15 colleague could please pull up Exhibit 11 to 07:16:11</p> <p>16 Mr. Ahlberg's deposition, please. 07:16:14</p> <p>17 BY MS. McKEEN: 07:16:14</p> <p>18 Q. Mr. Ahlberg, this is previously 07:16:39</p> <p>19 marked as Exhibit 11 to your deposition, and I 07:16:40</p> <p>20 believe you testified that is a voucher that 07:16:42</p> <p>21 HTA submitted. Do you recall that testimony? 07:16:46</p> <p>22 A. Yes. 07:16:48</p> <p>23 Q. Did vouchers like this have to be 07:16:51</p> <p>24 approved by the Puerto Rico Treasury 07:16:53</p> <p>25 Department? 07:16:59</p>
<p style="text-align: right;">547</p> <p>1 that you had with Gustavo?" 07:05:24</p> <p>2 THE WITNESS: Me, personally, it's 07:05:24</p> <p>3 based on my conversations with Gustavo, but I 07:05:25</p> <p>4 can't say that Gustavo didn't consider various 07:05:29</p> <p>5 factors when determining that. 07:05:35</p> <p>6 BY MS. MILLER: 07:05:35</p> <p>7 Q. Okay. And you, as the corporate 07:05:41</p> <p>8 representative testifying today, have no idea 07:05:44</p> <p>9 what Gustavo may have considered or been 07:05:46</p> <p>10 relying on? 07:05:49</p> <p>11 UNIDENTIFIED SPEAKER: Objection. 07:05:50</p> <p>12 THE WITNESS: I just cannot recall 07:05:51</p> <p>13 at this moment any documents he may or may not 07:05:54</p> <p>14 have relied upon to make that determination. 07:05:56</p> <p>15 MS. MILLER: Okay. All right. 07:05:58</p> <p>16 Can we take a 5-minute break? And I think 07:06:00</p> <p>17 we'll conclude when we come back. 07:06:06</p> <p>18 MS. McKEEN: Atara, just to warn 07:06:11</p> <p>19 you, I will have redirect, but I think it will 07:06:15</p> <p>20 probably last 45 minutes. 07:06:18</p> <p>21 MS. MILLER: Okay. Thank you. 07:06:22</p> <p>22 We'll come back. 07:06:22</p> <p>23 THE VIDEOGRAPHER: We are off the 07:06:24</p> <p>24 record at 7:06 p.m. 07:06:24</p> <p>25 (Recess taken.) 07:06:27</p>	<p style="text-align: right;">549</p> <p>1 A. Yes. 07:16:59</p> <p>2 Q. Does this document reflect that 07:17:01</p> <p>3 approval anywhere? 07:17:07</p> <p>4 A. Yes. 07:17:07</p> <p>5 Q. And in your experience, would 07:17:10</p> <p>6 payment in connection with a voucher like this 07:17:13</p> <p>7 have been made without Treasury's approval? 07:17:16</p> <p>8 A. No. 07:17:22</p> <p>9 Q. Okay. Could I have Exhibit 14, 07:17:23</p> <p>10 please. 07:17:26</p> <p>11 Mr. Ahlberg, this was previously 07:17:27</p> <p>12 marked as Exhibit 14 to your deposition. Was 07:17:54</p> <p>13 this report prepared by HTA or by the 07:18:03</p> <p>14 Puerto Rico Treasury Department? 07:18:06</p> <p>15 A. Document was prepared by HTA. 07:18:10</p> <p>16 Q. And if you look in the bottom 07:18:11</p> <p>17 right-hand corner of the document, there's 07:18:14</p> <p>18 reference to somebody name Hector Melendez. 07:18:16</p> <p>19 Do you see that? 07:18:23</p> <p>20 A. Yes. 07:18:23</p> <p>21 Q. Was Hector Melendez an employee of 07:18:24</p> <p>22 HTA? 07:18:28</p> <p>23 A. Yes. 07:18:28</p> <p>24 Q. And when it refers to Treasury 07:18:30</p> <p>25 office underneath his name, is Treasury office 07:18:36</p>

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1	a part of HTA?	07:18:39	1	A. We had a phone call yesterday.	07:30:47
2	A. Yes, that refers to the Treasury	07:18:44	2	Q. And how long was that phone call?	07:30:52
3	office within HTA.	07:18:46	3	A. I think it was less than 30	07:30:54
4	Q. And is that Treasury office part	07:18:53	4	minutes.	07:30:54
5	of Hacienda?	07:18:59	5	MS. MILLER: I'm going to put on	07:31:04
6	A. No.	07:18:59	6	the record that that conversation was while you	07:31:05
7	MS. McKEEN: Thank you. I don't	07:19:00	7	were under oath and during open testimony. I'm	07:31:10
8	have any more questions for you. I appreciate	07:19:01	8	going to refrain from asking about it as a	07:31:12
9	your time both today and Tuesday, Mr. Ahlberg.	07:19:02	9	courtesy to opposing counsel.	07:31:15
10	Pass the witness.	07:19:08	10	BY MS. MILLER:	07:31:15
11	MS. MILLER: So I object to those	07:19:08	11	Q. Did you speak to anybody at	07:31:21
12	questions as leading, I guess too late.	07:19:09	12	Treasury about the voucher approval process?	07:31:23
13	But I have, Liz, based on your	07:19:15	13	A. In between Tuesday and today?	07:31:29
14	questions, a couple of additional documents and	07:19:19	14	Q. No, in general.	07:31:34
15	some additional questions that I'd like to ask	07:19:21	15	A. I didn't have to ask anyone about	07:31:38
16	the witness, but it's going to take me a minute	07:19:23	16	the voucher approval process. Just due to the	07:31:40
17	to find them.	07:19:26	17	nature of my work with the Commonwealth, I'm	07:31:44
18	So if we can go off the record	07:19:26	18	familiar with the voucher approval process.	07:31:47
19	just for a minute, I shouldn't have more than	07:19:30	19	Q. Okay. So you're not involved in	07:31:49
20	5 minutes of questioning when we come back.	07:19:32	20	it in any way?	07:31:52
21	MS. McKEEN: Sounds good. How	07:19:36	21	A. I'm not involved in the voucher	07:31:53
22	long do you want to stay off? Break for 5 and	07:19:39	22	approval process.	07:31:55
23	then come back for 5?	07:19:43	23	Q. Okay. And so you don't know	07:31:57
24	MS. MILLER: Let's break for 5,	07:19:44	24	whether there are any vouchers that relate to	07:31:58
25	yeah.	07:19:46	25	certain entities that may or may not be	07:32:02
551			553		
1	THE VIDEOGRAPHER: We are off the	07:19:47	1	Treasury approval based?	07:32:09
2	record at 7:20 p.m.	07:19:47	2	MS. McKEEN: Objection.	07:32:11
3	(Recess taken.)	07:19:55	3	THE WITNESS: I can't speculate on	07:32:14
4	THE VIDEOGRAPHER: We are back on	07:20:22	4	the hypothetical vouchers.	07:32:18
5	the record at 7:30 p.m.	07:29:41	5	MS. MILLER: Okay. Okay. I have	07:32:22
6	BY MS. MILLER:	07:29:41	6	no further questions.	07:32:26
7	Q. Mr. Ahlberg, what is your	07:29:45	7	MS. McKEEN: I have no further	07:32:28
8	involvement in the voucher approval process?	07:29:47	8	questions for you either, Mr. Ahlberg.	07:32:29
9	A. I am not personally involved in	07:29:54	9	Thank you very much for your time	07:32:31
10	voucher approval processes.	07:29:56	10	over these two days.	07:32:33
11	Q. Who did you speak to about the	07:29:59	11	THE WITNESS: Thank you, everyone.	07:32:37
12	voucher approval process between your	07:30:02	12	MR. ZOUAIRABANI: This is Nayuan.	07:32:39
13	deposition yesterday -- on Tuesday and today?	07:30:04	13	I would like to make a reservation of rights	
14	A. I apologize. Could you repeat the	07:30:14	14	for the DLA parties on the record before we	
15	question?	07:30:16	15	call it a night.	
16	Q. Who did you speak to about the	07:30:17	16	THE REPORTER: I'm sorry. Who is	
17	voucher approval process between your	07:30:19	17	this?	
18	deposition on Tuesday and today?	07:30:20	18	MR. ZOUAIRABANI: This is Nayuan	
19	A. I haven't spoken with anybody else	07:30:29	19	Zouairabani on behalf of AmeriNational	07:32:52
20	other than counsel between Tuesday and today.	07:30:33	20	Community Services, LLC. I can spell my last	07:32:52
21	Q. And did you -- I forgot to ask you	07:30:35	21	name and my first name if you want.	07:32:54
22	at the beginning.	07:30:37	22	THE REPORTER: No, that's okay. I	07:32:54
23	Did you meet with counsel between	07:30:38	23	got it. Thank you.	07:32:59
24	your deposition yesterday -- sorry, your	07:30:39	24	MR. ZOUAIRABANI: Okay. The DLA	07:32:59
25	deposition on Tuesday and today?	07:30:42	25	parties have not made any questions or not made	07:33:03

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<p style="text-align: right;">554</p> <p>1 any active participation during Tuesday and 07:33:06 2 today's deposition in compliance with 07:33:09 3 Judge Dein's March 3, 2020 order. 07:33:12 4 Such action or inaction does not 07:33:15 5 constitute, and should not be interpreted as a 07:33:18 6 waiver of any sort of the DLA parties to seek 07:33:20 7 and obtain discovery as part of their DLA 07:33:23 8 lift-stay motion, which rights are preserved in 07:33:24 9 the March 3, 2020 order. 07:33:29 10 That is the intent of the 07:33:34 11 reservation of rights that I want to make. 07:33:36 12 MS. McKEEN: Thank you, Counsel. 07:33:36 13 We reserve all rights with respect to 07:33:38 14 everything you just said on the record. 07:33:40 15 I don't have anything further. 07:33:45 16 Thank you, Mr. Ahlberg. 07:33:46 17 THE WITNESS: Thank you. 07:33:49 18 THE VIDEOGRAPHER: We are going 07:33:51 19 off the record at 7:34 p.m. This concludes the 07:33:51 20 video deposition of Timothy Ahlberg. 07:33:54 21 (Ending time noted 7:34 p.m.) 22 23 24 25</p>	<p style="text-align: right;">555</p> <p>1 STATE OF ILLINOIS) 2) SS: 3 COUNTY OF COOK) 4 5 I, Cynthia J. Conforti, a notary public 6 within and for the County of Cook and State of 7 Illinois, do hereby certify that heretofore, 8 to-wit, on the 23rd day of April, 2020, 9 virtually appeared TIMOTHY H. AHLBERG, in a 10 cause now pending and undetermined in the 11 United States District Court for the District 12 of Puerto Rico, IN RE: THE FINANCIAL OVERSIGHT 13 AND MANAGEMENT BOARD FOR PUERTO RICO, AS 14 REPRESENTATIVE OF THE COMMONWEALTH OF PUERTO 15 RICO, et al., DEBTORS. 16 I further certify that the said witness 17 was first duly sworn to testify the truth, the 18 whole truth and nothing but the truth in the 19 cause aforesaid; that the testimony then given 20 by said witness was reported stenographically 21 by me in the presence of the said witness, and 22 afterwards reduced to typewriting by 23 Computer-Aided Transcription, and the foregoing 24 is a true and correct transcript of the 25 testimony so given by said witness as</p>	<p style="text-align: right;">556</p> <p>1 aforesaid. 2 I further certify that the signature to 3 the foregoing deposition was not waived by 4 counsel for the respective parties. 5 I further certify that I am not counsel 6 for nor in any way related to the parties to 7 this suit, nor am I in any way interested in 8 the outcome thereof. 9 IN TESTIMONY WHEREOF: I have hereunto 10 set my hand and affixed my notarial seal this 11 24th day of April, 2020. 12 13 14 15 16 Cynthia J. Conforti, CSR, CRR 17 CSR License No. 084-003064 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">557</p> <p>1 ACKNOWLEDGMENT OF DEPONENT 2 3 I, _____, do hereby 4 acknowledge that I have read and examined the 5 foregoing testimony, and the same is a true, correct 6 and complete transcription of the testimony given by 7 me, and any corrections appear on the attached Errata 8 Sheet signed by me. 9 10 _____ 11 (DATE) (SIGNATURE) 12 13 NOTARIZATION (If Required) 14 15 State of _____ 16 County of _____ 17 18 Subscribed and sworn to (or affirmed) before me on 19 this ____ day of _____, 20____, by 20 _____, proved to me on the 21 basis of satisfactory evidence to be the person who 22 appeared before me. 23 24 Signature: _____ 25 (Seal)</p>
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